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ART. I. — *The Institution of the Society of the Cincinnati, formed by the Officers of the American Army of the Revolution, for the Laudable Purposes therein mentioned, at the Cantonment on the Banks of the Hudson River, May,* 1783; *together with some of the Proceedings of the General Society, and of the New York State Society; also, a List of the Officers and Members of the New York Society, from its Organization to the Year* 1851. Printed by order, and for the use of the Members, of the New York Society. J. M. Elliott, Printer, 133 Water Street, New York. 1851. 8vo. pp. 120.

THE neat little volume before us, the title of which we have placed at the head of this paper, is one probably utterly unheard of and unknown by the larger portion of our readers. Nay, the very subject to which it relates — though one of the most curious features in our past revolutionary history — is perhaps equally strange to many of them. And yet it would seem hardly credible that a matter which occupied so large a portion of the thoughts and cares of the men whose actions and sentiments we, in these latter days, are constantly and curiously seeking to trace out and make manifest, could have remained for so long a time obscured to the world at large, and, at best, but imperfectly comprehended even by historical students generally. In the course of our remarks, perhaps the immediate causes of all this may appear more plainly; but

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there are other and more philosophical reasons why so much that relates to the earlier days of our country should have hitherto remained in obscurity. The unwearied industry of the writers of this generation has, however, done very much to elucidate the dark pages of the past; and perhaps the wonder is, not that we do not know more, but that we do not know far less of our fathers and their conduct. In this respect, we are fortunate in being a new people; our historians may begin at the beginning, and complete their tale, without being compelled to invoke the aid of superstition or imagination. As a nation grows in power and strength, it continues to delight to dwell upon the story of its birth — *sequi vestigia rerum* — to strive to pierce the misty veil of antiquity that enshrouds its source; even so far as to find a divine sire in the shepherd's hut whence issued the two robber-kings, whose mud-built walls inclosed the cradle of the future Mistress of the World. If we turn over the pages of history, we shall see that, "in the most high and palmy days of Rome," the people were enabled in their legends to invest with fabulous honors the ancients of their state. For them, when his race on earth was ended, the heavens opened to receive their fratricidal chief; for them, the shady groves of Caparella's valley —

lucos, amœnæ
Quos et aquæ subeunt et auræ —

were hallowed by the footsteps of the goddess who gave wise counsel to their king, around whose brows the thunderbolt of Jove played idly, but smote not. And yet the Alban colonists, who raised upon the banks of the yellow Tiber the first walls of the Eternal City, were really men of no greater mark — no more the favorites of supernal powers — than they whom this mighty land to-day salutes as fathers and creators; their career was signalized by events of as little note as those which attended the planting of the Colonies in America. Had it not been for the magnificent future of Rome, rest assured we should never have heard of its past. Mr. Macaulay well suggests that the faint memories of Arthur and the ancient British glories, as doubtfully preserved by

"High-born Hoel's harp or soft Llewellyn's lay,"

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may give us some idea of what we might possibly now know of the she-wolf of the Lupercal, or the deeds of the brave Horatius "who kept the bridge so well," had Rome fallen before the sword of Lars Porsena, or the swarthy arm of the Carthaginian. Therefore, let us not take it amiss that we too have had small beginnings; let us rather be thankful that we are as we are, and that, from being as the small cloud in the west, scarce the compass of a man's hand, the providence of God has raised us up a powerful empire, whose realms extend from the east unto the west, from the frozen waters of the north to the clear blue waves and spicy gales of the tropic seas. And while we contemplate, with all the pride of a Roman citizen, the world-wide domain of our inheritance, let us quietly reflect upon the seed from which all this mighty harvest has sprung. Let us regard events as they actually were, — not judging of their value or importance by what has come after them, — and we shall see from what humble means, with what weak, unpromising tools, the destiny of the New World has been wrought. And we think the contemplation will bring more satisfaction to our minds, more gratitude for that Divine protection, under which we have been but as clay in the hand of the potter, than if we indeed should trace our lineage to a subverted throne, and our first settlements to the migration of a mighty empire. In every step, we cannot fail to recognize that power which moulds the destinies of nations, and in whose continuing care we may more safely put our trust than in horsemen or chariots: *Si Deus pro nobis, quis contra nos?*

Considered in this light, there are but few events in the early history of the American Colonies of sufficient intrinsic importance to either attract or deserve the notice of an historian. Suppose the later pages of the volume of our national fate to be as a sealed book to the investigator of a future age — let all records of the progress of the New World during the past century be blotted out — let it even be otherwise than it is; and how obscure and trivial would what remained appear in the eyes of those who, in far distant times, should look back into the history of the nations, as we to-day inquire into that of

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the Phœnician colonies, or of those days when, "sitting on some pleasant lea," the Etrurian shepherd

> "Had sight of Proteus rising from the sea,
> Or heard old Triton blow his wreathed horn!"

It is mainly in the fact that we know every thing of primary importance about our origin, that the course of our career differs most from that of other nations. The acorn that was planted within the memory of man, has towered into a deep-rooted oak in days when the pen is in every hand; and instead of following with uncertain eye the wandering track of some Phœnician barque or Viking's galley, instead of poring over the dubious inscriptions of the Skald's Saga or an Etruscan tomb, the historian of the United States is as the historian of yesterday. Then, the nation spoke as a child, and it saw as a child, and its future was but visible through a glass, darkly; but in two centuries the child has shot up into vigorous manhood, and few could have foreseen, in its infancy, the advent of the triumphs that have enwreathed its brows.

For, in truth, its germs were of but little worth in the eyes of any contemporaneous human observer. The departure of the emigrants—whether animated by hatred of oppression, love of adventure, or longing after lucre—was scarce observed in Europe; nor did their arrival in America attract the attention of any but a nation of savages. Every thing in the early annals of the Colonies (considered without reference to results which could not then have been calculated upon) bears the stamp of insignificance. The population was small and scattered; the governments weak; the legislation trifling; the battles but skirmishes; the treaties mere bargains. The first symptom of emergence from their original obscurity was the selection, by the two rival empires of the Old World, of the soil of the New as the arena wherein to grapple, in the death-struggle, for the privilege of possessing that which belonged to neither. The union of the Colonies, for the purpose of resisting the authority of Great Britain, was followed by a series of events, certainly interesting in the highest degree to the parties concerned, but not perhaps, *per se*, of the most striking character. A few battles, in which, compared even with the European annals of the present century, the contending forces were

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small, and the military genius of the generals not superlatively great; numerous debates, enlivened by very little eloquence; and a few negotiations, which their result alone preserves from oblivion. The peace succeeded, and the acknowledgment of our independence by Great Britain — not extorted, but yielded — the consequence rather of a want of energy and inclination in the ministry, than of a lack of power in the nation. A few years of feeble, precarious, unhonored existence were dragged on, until at length an end was put to the long period of our impotence and obscurity by the adoption of the Federal Constitution. Prosperity soon followed, bringing greatness in its train.

To affirm the insignificance of these transactions in themselves, is not necessarily to depreciate the reputation or the abilities of the men who effected them, or to deny their claims upon our gratitude and our admiration. To say the least, they not only did all that patriotism or virtue could suggest, but the result shows that they did all that was required; and we have every reason to be thankful that it was so, and that there was neither temptation nor opportunity for the soldier of these days to seek

> —— "to wade through slaughter to a throne,
> Or shut the gates of mercy on mankind."

But the subsequent stupendous growth and ever augmenting grandeur of their country, have reflected back distinction, and given their deeds an importance not their own. They shine with a borrowed light; for, though there were giants in those days, yet we must not forget "*vixêre fortes ante Agamemnona;*" and in this spirit, it is pleasant to observe with what filial piety this generation seeks to perpetuate the memory of its ancestors and their achievements.

> "Still green with bays each ancient altar stands."

Every town now has its chronicler; nay, scarce a family, sprung from the prolific loins of an early settler, but finds its ramifications carefully collected, till it is traced back to the sturdy Dissenter, or non-jurant Quaker averse to arms, who gave to his race upon this side of the ocean "a local habitation and a name."

Following the train of thought induced by our opening re-

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flections, our pen has led us very far astray from the point whence we started; but we have said enough, we hope, to justify the spirit that has impelled us to endeavor to throw some little additional light upon a passage in our national history, in itself comparatively obscure. "Let not ambition mock their humble toil," who bring even their mite to the treasury of knowledge. Every contribution of learning, every new elucidation of a fact previously unknown or misknown, has its value. It is like a solitary book, useless, perhaps, by itself; but, placed in a public library, it may serve to complete and make perfect a series that will remain forever for the benefit of mankind. To say our say about the Society of the Cincinnati; whence it arose; how it has prospered; and what has become of it, — may serve to bring together before our readers some little information not uninteresting in itself, and gleaned from sources not readily accessible to the public generally. And in so doing, we will not be unmindful of the wise words which a great humorist puts into the mouth of one of his personages. "*Bélier, mon ami,*" said Moulineau the Giant to his friend the great Ram, "*Bélier, mon ami, si tu voulois bien commencer par le commencement, tu me ferois plaisir; car tous ces récits qui commencent par le milieu ne font que m'embrouiller l'imagination.*" We will follow the astute Moulineau's suggestion, (though he was but a scurvy fellow of an Anakim, after all,) and begin at the beginning. And as the grave and veracious Diedrich Knickerbocker commences his history of the Nieuw Nederlandts with a learned disquisition, many pages long, containing divers ingenious theories and philosophic speculations concerning the cosmogony and the general population of this earth, down to the period when "that worthy and irrecoverable discoverer" Hendrick Hudson, in the good ship Half-Moon, left the flat shores of Holland, — we will preface our remarks upon the last chivalric order that arose in America, with a brief sketch of the institutions of knighthoo that preceded it.

When we are told of orders of chivalry and knighthood, the idea in our mind is generally that of some steel-clad cavalier or red-cross knight, like Sir Amadis de Gaul or Godfrey of Boulogne, whose chief employment consists in maltreating

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the Paynim, slaying giants, circumventing caitiff enchanters, and triumphantly rescuing and wedding distressed damsels. Whether our first impressions of these gentry are derived from Sir Walter or from Ariosto, from Percy or from Froissart, we still look upon them almost as mere creations of the brain, or, at best, as something with which we in this country could never, by the remotest chance, have had any thing to do. And yet, more than one knightly order has sprung from our own soil, and filled its ranks from our own people. We do not allude to the absurd colonial government devised for Carolina, with its burgraves and palatines and margraves; but to regular formal orders of knighthood, with objects, insignia, and appellations peculiarly local and American. But nothing of the marvellous is to be looked for in the records of their history. Our knights, like those of all recent European orders, were but modern imitations of those of Arthur's Court;—

> "Dinadam with lively glance,
> And Lanval with the fairy lance,
> And Mordred with his look askance,
> Brunor and Belvidere."

Nor did their deeds at all resemble those of the Round Table, where, according to Roger Ascham, "they be counted the noblest knights that do kill most men without any quarrell, and commit foulest adultries by sutlest shiftes." No; our lions, like Nick Bottom's in the play, shall roar you as gently as any sucking dove; there shall be nothing to frighten the ladies. About the year 1710, "to the extraordinary benefit of Virginia," as old Beverley says, Colonel Alexander Spotswood was appointed governor of that colony. A gentleman, a soldier, a statesman, and a patriot, his foreseeing eye at once perceived the policy of preventing the encroachments of the French by a line of posts between the Appalachian chain and the western waters. In the popular mind of those days, those mountains were regarded as the invincible barrier of the gloomy wilderness beyond, against the advances of civilization. "Their great height, their prodigious extent, their rugged and horrid appearance, suggested to the imagination undefined images of terror. The wolf, the bear, the panther, and the Indian were the tenants of these forlorn and inaccessible

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precipices." The failure of Sir William Berkeley's attempt to effect a passage across them had not at all tended to diminish the general apprehension with which the enterprise was regarded; and it remained for Governor Spotswood, with great pomp and circumstance, at the head of a numerous and well-appointed array of the most considerable of the colonial gentry, to vanquish the imaginary difficulties that had been raised by the fears of the populace, and to return, according to the history of the times, "with a glory little inferior to that of Hannibal." To encourage his designs, and to familiarize the minds of men with the passage of the formidable Blue Ridge, he instituted an order of knighthood in commemoration of this achievement, of which he, as the representative of the crown, was the head. The adventurous cavalier, ambitious of winning distinction, was required, as his maiden feat of *derring do*, to carry his arms to a certain distance beyond the Alleghanies; and to do this he was solemnly sworn, on receiving his accolade as a knight of the most noble and military order of the Golden Horseshoe. The device of this order was a miniature golden horseshoe; the motto,

"Sic juvat transcendere montes;"

and we are told that, by royal permission, these insignia were actually added to Spotswood's own armorial achievements. Such are the traditions of the country; but we must add that we cannot at present cite any other authority than the loose statements of Howe; and we doubt very much whether there is any family of Spotswood at this day in Great Britain which bears the emblems we have described. Nor is history more communicative as to the subsequent fate of the first knights of this military order. But the whole story has a pleasant spice of romance about it, that causes us to cherish it as possibly true, until we have irrefragable proof that it is false. Perhaps, after all, a not less interesting memorial of Spotswood's fame exists in the fact, that he was the first iron-master in America who erected a regular furnace.

The only account we have of "The Albion Knights of the Conversion of the Twenty-three Indian Kings" is in the less apocryphal than rare description of the Province of New

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Albion by Beauchamp Plantagenet, printed in the year 1648. According to him, Sir Edmund Plowden, the Governor of New Albion, (which is supposed to have existed somewhere in the neighborhood of Salem, New Jersey,) was created by the king Earl Palatine thereof; and, by the privileges of that rank, enjoyed the same rights as of old belonged to Chester, Durham, Lancaster, and Pembroke: that is, according to Bracton, regal privileges in all things, saving legiance to the king; possessing therefore the power of creating provincial, local, and feudal barons, knights, bachelors, &c. Who were the knights of the Conversion of Albion, and what were the means by which they were to accomplish their ostensible work of converting the twenty-three Indian kings who happened to be seated in their vicinity, we are left at a loss to guess. But, as we fortunately possess an engraving of their "Order, Medall, and Riban," our readers may extract some information from our description. The medal appears to have been surrounded with scroll-work, and to have had engraved on its face the arms of the Earl Palatine and those of his order, within a circle of twenty-two rudely executed human faces, each of which, in respect to

——"what seemed its head,
The likeness of a kingly crown had on."

The twenty-third noble savage, who, like the lucky penitent in the song, "has a human carcass to his scull," is placed in a kneeling posture immediately under the shield, which he supports with his right hand, while his left grasps a bow. Around all this again is inscribed the motto of the order. DOCEBO· INIQVOS·VIAS·TVAS: ET·IMPII·AD·TE·CONVERTENTVR. Two distichs explain the meanings of the knightly and of the Plowden arms.

Plowden's Arms.
True Virtue mounted aloft on Honour high,
In a serene Conscience as cleare as skye.

Albion's Arms.
All power on life and death, the Sword and Crown:
On Gospel's truth shine Honour and Renown.

"These be brave words;" but we cannot exactly find that they lead to any definite conclusion. If Sir Edmund ever had a

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province under his command, it is as likely as not that he founded the order in question,* and, perhaps, found it as useful a way as any to get rid of the landed proprietors whom he discovered already established there;—the old case of trover and conversion, we dare say. And the fact, that at least twenty-two of the monarchs in question seem to have undergone decapitation, rather favors this conclusion.

And this brings us to an association instituted neither by royal governor nor belted earl, but which, in many essential respects, appears to possess undeniable claims to be considered as a chivalrous order; namely, the Society of the Cincinnati.

It is not very practicable to discover precisely how and by whom the notion of forming this society was first conceived. Marshall says the idea was originally suggested by General Knox, and intimates that the Baron de Steuben had something to do with it; and this, we believe, is the opinion of Mr. Sparks. Higher authorities than these it is impossible to cite; and yet, we apprehend, there must have existed a very peculiar and a very excited state of feeling in the army to induce Knox to suggest the plan, or the officers to adopt it so eagerly. We shall presently see that it was entirely ripe and mature when it was first presented to the public, and that, running through the camp like wildfire, it was embraced with an ardor and adhered to with a pertinacity that must argue strongly in support of the belief that the whole matter had been thoroughly considered in advance

* The only other occasion, beside the foundation of the Knights of the Conversion, upon which our titular Earl Palatine seems to have exerted his creative faculties was one in which his charity certainly began at home. Master Plantagenet concludes his dedication in this strain:

"And since according as other Palatines, as he of Chester and Duresme, made their Barons and Knights, as therein many are yet living; You, my lord, have begun to honour first your own children. I tender my best respects unto your sonne and heire apparant, Francis Lord Ployden, Baron of Mount-Royall, Governeur, and to Thomas Lord Ployden, Baron of Roymont, High Admirall; and to the Lady Winefrid, Baronesse of Uvedale, the patterne of mildnesse and modestie; and to the Lady Barbara, Baronesse of Ritchneck, the mirrour of wit and beautie; and to the Lady Katherine, Baronesse of Princest, that pretty babe of grace, whose faire hands I kisse." As Mr. Pepys would have said, our author's courtesey, not only overwhelming the head of the family with his West-Jersey titles of honour, but, like some contagious disorder, extending itself to everybody in the house, and particularly to the women and children, is "pretty to see."

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by the leading gentlemen of the army. Knox was one of its most active and interested framers, and on this account, as well as on that of his rank, was probably selected to act as godfather to the plan. What led to this state of feeling, and what it actually was, we will now proceed to examine.

There is no period of our revolutionary history more interesting than those dark and gloomy days towards the close of the war, when the army felt that its days were numbered, its dissolution necessarily close at hand, and that, in a few weeks or months, its members were probably to be dismissed forever from the service of their country, with no other resource prepared for them than what chance or their own private prosperity might afford. The times were decidedly unpromising; the financial condition of the whole nation was exceedingly embarrassed and precarious; and whatever might have been the military successes of the last two or three years, they had not been unalloyed with privations in the camp and disasters in the field. Most of the officers of the American army had entered the service at an age usually and necessarily devoted to the acquirement of a profession or a trade. The customs of a camp had not particularly well fitted them for those of a handicraft; and though it is certainly true that many of them, in subsequent years, rose to the highest distinction in their respective avocations, yet we can readily perceive a natural and very proper cause for the melancholy forebodings with which they regarded the future of their days, when the spear should perforce be turned into a pruning-hook to trim, at a stranger's command, the trees which their own hands had planted, and the sword into a sickle to reap for hire the fields of their own inheritance.

> Sic vos non vobis nidificatis aves;
> Sic vos non vobis vellera fertis aves;
> Sic vos non vobis mellificatis apes;
> Sic vos non vobis fertis aratra boves.

For poverty had made sad work among those men. Poorly paid, they had, as a general rule, been compelled to depend, to a greater or less extent, upon their private fortunes; and there was not a large proportion of the colonial hereditary estates of those days that could long stand many inroads of

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this nature. During the greater part of his command, we find Washington's letters to Congress abounding in the most painful accounts of the extremities to which the army was frequently reduced, and at this particular juncture their distress does not seem to have undergone any diminution. "The situation of the officers," wrote Washington to Hamilton, March the 12th, 1784, "I do believe, is distressing beyond description. It is affirmed to me that a large proportion of them have no better prospect before them than a jail, if they are turned loose without liquidation of accounts and an assurance of that justice to which they are so worthily entitled." Nor was his language to the government less strong than that of his private correspondence. In a letter to the President of Congress, dated within a week from that to Hamilton, he recapitulates the meritorious services of the officers, and dwells anxiously on their prospects. Referring to the possible realization of the treatment they were threatened with at the hands of the civil authorities, he says, "*then* shall I have learned what ingratitude is; then shall I have realized a tale which will embitter every moment of my future life. But I am under no such apprehensions; a country rescued by their arms from impending ruin will never leave unpaid the debt of gratitude."

Nevertheless, in despite of the confidence thus expressed by their commander, the army, with peace near at hand and their services being less and less necessary to their country, continued to be greatly agitated by the various steps that were taken in regard to their concerns. On the 15th of May, 1778, in consequence of Washington's representations in January of that year, Congress had granted half-pay during seven years after the conclusion of the war to all officers who should continue in service till that period, provided they should hold no office of profit under either of the States or the General Government. By a subsequent resolve of August 24th, 1780, they had *recommended* to the several States to which the officers respectively might belong the propriety of making suitable provision for carrying the decree of 1778 into effect. For it will be recollected that, under the old Articles of Confederation, the utmost that Congress could do in the

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way of raising money for national purposes was to *recommend* — to petition, in fact, the different States to permit the money to be levied; a petition which was regarded or not, as the case might be. All this was well understood in the army; and though it was known that the prospect of ever getting any thing out of some of the States was rather bare, yet it was perceived that Congress had done all in its power; and they lived in hope. In this state matters stood, when suspicion first began to be aroused that the army would not be fairly dealt by. The States declined acceding to the measures proposed by Congress to enable it to raise the needful funds to satisfy the most exigent public creditors; and Congress itself, by a resolution of the 3d of October, 1780, indicated its intention of *reforming* the army, that is, of reducing its numbers by shuffling a large portion of the officers out of service *during the continuance of the war*, and thus depriving them of even the shadow of the crust that the recommendation of 1778 had held out. Thereupon, a serious, indignant passion took possession of their souls; and the words that Congress did not intend to comply at all with its resolutions for half-pay, were echoed from every lip. Washington again intervened, and represented so strongly to Congress the manner in which its conduct was regarded, that, on the 21st of the same month, it went quite to the other extreme, and decreed half-pay for life not only to those who should remain in service until the end of the war, but likewise to the officers to be *reduced* under the resolution of the 3d of October. With these concessions the officers again were appeased, and every thing for some time went on as well as could be expected. But when the winter of 1782–3 came on, and it became perfectly plain, from the conduct of the British generals and the British ministry, that a peace was resolved upon, it became as fully plain to many of the officers and men of the army that they would never get their money unless some definitive arrangements were entered into before they should be disbanded. The desires of the army may be divided into two heads. First, an examination by Congress, or by some one authorized by it to act in the premises, of their accounts, and, if not the ready money for what sum of arrears should be found due and unpaid to them by

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the Government, they should at least receive a certificate of the amount. Secondly, there was a general though hardly unanimous desire to commute the half-pay for life into a certain fixed sum in gross, payable down. These wishes, the first particularly, seem not unreasonable. In fact, it was a subject of grievous complaint in the army that, in addition to being paid in depreciated currency (worth, perhaps, fourpence in the dollar) at its nominal value, they were not half the time paid at all; and they loudly demanded either their arrears, or an acknowledgment of their amount. They were willing to accept very moderate terms from Congress, but these terms they felt *must* be acceded to. In short, one is ludicrously reminded of the quarrel between Ancient Pistol and Corporal Nym, in King Henry the Fifth, by the whole conduct of this controversy and the turn it eventually took.

Nym. "You'll pay me the eight shillings I won of you at betting?
Pist. Base is the slave that pays!
Nym. That now I will have; that's the humor of it.
Pist. As manhood shall compound: push home.
Nym. I shall have my eight shillings I won of you at betting.
Pist. A noble thou shalt have, and present pay;
And liquor likewise will I give to thee,
And friendship shall combine, and brotherhood."

A petition, embodying the statements above recapitulated, was forwarded from the army to Congress, in which it was broadly complained, in so many words, that shadows alone were offered to the soldiery, while the substance had been gleaned by every person bearing the mark of civil authority throughout the United States. It went on to urge that their distresses were at last brought to a point; they had borne all they could bear; their own endurance and that of their private resources were utterly gone, and their friends were wearied out and disgusted by their incessant applications for assistance; and that an immediate supply of money was imperatively and dangerously necessary. What words were these to be wrung from the reluctant lips of these proud, brave men of Valley Forge and of Yorktown! How great, how supreme, must have been their necessities, ere they would have

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put upon eternal record such a story of their wants! And what ought to have been the ready action of Congress at this crisis? But no; despite the earnest endeavors of the wisest in the army and out of it, who foresaw the coming storm and sought to avert it, it was found impossible to procure a satisfactory compliance with the petition. It was necessary to have the consent of nine States to a measure of this nature: six were in its favor; three were unrepresented; the gentlemen representing the remaining four, to wit, Connecticut, Rhode Island, New Hampshire, and New Jersey, refused to accede to it, and the plan fell to the ground.

It was the reception of this intelligence in camp that produced the celebrated Newburg Letters, the head-quarters of the army then being at that town. As soon as the fate of the petition became known, a meeting of the officers was called to consider "what measure, if any, should be adopted to obtain that redress of grievances which they seemed to have solicited in vain." At the same time, an anonymous address was widely dispersed through every State line in the camp; an address not unworthy the pen of Junius himself, when steeped in the bitterest gall. We may judge of the burning excitement of the occasion, by the suppressed rage that gleams in every line. After an impressive commencement, and a summary of the causes and circumstances of their taking up arms, the author takes a survey of their present position and casts his eye into the future. He thus proceeds: —

"After a pursuit of seven long years, the object for which we set out is at length brought within our reach. Yes, my friends, that suffering courage of yours was active once. It has conducted the United States of America through a bloody and a doubtful war; it has placed her in a chair of independency: and Peace again returns to bless — whom? A country willing to redress your wrongs, cherish your worth, and reward your services? A country courting your return to private life, with tears of gratitude and smiles of admiration? — longing to divide with you that independency which your gallantry has given, and those riches which your wounds have deserved? Is this the case? Or is it rather a country that tramples on your rights, disdains your cries, and insults your distresses? Have you not, more than once,

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made known your wants and suggested your wishes to Congress (wants and wishes which gratitude and policy should have anticipated, rather than evaded); and have you not lately, in the meek language of entreating memorials, begged from their justice what you could no longer expect from their favor? How have you been answered? Let the letter which you are called to consider to-morrow, make reply! If this, then, be your treatment while the swords you wear are necessary for the defence of America, what have you to expect from Peace, when your voice shall sink and your strength dissipate by division — when those very swords, the instruments and companions of your glory, shall be taken from your sides — and no remaining mark of military distinction left but your wants, infirmities, and fears? Can you then consent to be the only sufferers by this revolution; and, retiring from the field, grow old in poverty, wretchedness and contempt? Can you consent to wade through the vile mire of dependency, and owe the miserable remnant of that life to charity, which has hitherto been spent in honor? If you can — go! and carry with you the scorn of Tories, the contempt of Whigs; the ridicule, and what is worse, the pity, of the world! go — starve and be forgotten! But if your spirits should revolt at this; if you have sense enough to discover, and spirit sufficient to oppose, tyranny under whatever garb it may assume — whether it be the plain coat of republicanism or the splendid robe of royalty — if you have yet learned to discriminate between a people and a cause — between men and principles — awake, attend to your situation, and redress yourselves. If the present moment be lost, every future effort is in vain; your threats *then* will be as empty as your entreaties now. I would advise you, therefore, to come to some final opinion of what you can bear, and what you will suffer. If your determination be in any proportion to your wrongs, carry your appeal from the justice to the fears of government. Change the milk-and-water style of your last memorial. Assume a bolder tone; decent, but lively, spirited, and determined; and suspect the man who would advise to more moderation and longer forbearance. Let two or three men, who can feel as well as write, be appointed to draw up your last remonstrance (for I would no longer give it the suing, soft, unsuccessful epithet of memorial.) Let it represent, in language that will neither dishonor you by its rudeness nor betray you by its fears, what has been promised you by Congress and what has been performed; how long and how patiently you have suffered; how little you have asked and how much of that little has been denied. Tell them, that though you were the first, and would wish to be the last, to encounter danger — though despair itself can never drive you into dishonor, it may drive you from

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the field. That the wound, often irritated and never healed, may at length become incurable; and that the slightest mark of indignity from Congress now, must operate like the grave, and part you for ever. That, in any political event, the army has its alternative: if peace, that nothing shall separate you from your arms but death: if war, that, courting the auspices and inviting the direction of your illustrious leader, you will retire to some unsettled country, smile in your turn, 'and mock when their fear cometh on.' But let it be represented also, that should they comply with the request of your late memorial, it would make you more happy and them more respectable. That while the war should continue, you would follow their standard in the field; and that when it should come to an end, you would withdraw into the shade of private life and give the world another subject of wonder and applause — an army victorious over its enemies — victorious over itself."

This letter is now known to have been the production of Mr. John Armstrong, an American officer, and father of Mr. Madison's Secretary at War during the last war with Great Britain; but its origin was kept studiously concealed at the time of its appearance. Indeed, such was the aversion with which its sentiments soon came to be regarded, that, in after years, Mr. Armstrong took the precaution to obtain a letter from Washington himself, exonerating him from the evil motives that were not unlikely to be attributed to him. On the 23d of February, 1797, Washington wrote him — "I have since had sufficient reason for believing that the object of the author was just, honorable, and friendly to the country, though the means suggested by him were certainly liable to much exaggeration and abuse." *

But at the moment it appeared a wise policy to utterly discountenance this movement. By a general order of March 11th, 1783, (the day on which the meeting was called) the Commander-in-chief signified his thorough disapprobation of it, and, at the same time, substituted for it a meeting of the general and field officers and of one officer from each company, on the 15th of the same month, to receive the report of the gentlemen charged with the care of the petition at the seat of Congress. Another letter from Mr. Armstrong intervened, but it was fruit-

* Sparks's *Writings of Washington*, vol. viii. p. 566.

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less: the meeting was duly held, and, by Washington's efforts, a more pacific tone was given to the current of men's minds. The officers' thoughts were diverted from the ominous direction in which they were bending, and, by a timely compliance of Congress, all for a time went well. So much more easy is it to turn than to stem a torrent.

We do not believe there is any exaggeration in the sketch we have given of the military discontents of this period. The curious in such matters will find abundant warrant for all that we have said in the State Papers of the time. Dissatisfaction pervaded all ranks of the army. Among the rank and file it prevailed to a stronger degree than among their superiors. The *warsmen*, as they were called, (that is, they who had enlisted not for one, two, or three years, but for the whole war,) were particularly restless; probably because they had received less, worked longer, and were heavier creditors than their fellows. The Pennsylvania line, indeed, soon turned their mutinous bayonets against Congress itself; a part of Greene's troops at the South conspired to betray their leader to the enemy, and the plot was only discovered in season to bring the ringleaders to the gibbet; and the Connecticut and New Jersey lines were, to say the least, very uneasy. We trust, therefore, that those who conceive that the Congress of 1783 consisted of the same class of men as the Congress of 1775 – 6, will not be inexorably obdurate against any particular set of individuals in the army for feelings that the whole mass shared in.

But it is to the occasion of this Newburg meeting, and the subsequent reflections which its strange and exciting scenes must have awakened in their minds, that we attribute the first notion of forming a union among the officers themselves, to endure beyond the reach of the will of Congress, and to have a permanence even after they should be disbanded. With the apprehension that they must have felt at the cool, if not unfriendly, dispositions of the civil authorities, an apprehension which Washington himself hints at in the closing paragraphs of his letter to the President of Congress of 1783, before cited, what was more rational than that they should be taught to look to themselves for that support which there

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seemed good reason to suppose their country would extend to them grudgingly, or deny them altogether? The strength that union brings was no new lesson to them; and to seek individual protection in the ranks of a large body was, in these days, a favorite plan. From the Commander-in-chief down to the lowest subaltern, we find the Masonic societies of the time continually recruited from the ranks of the Revolutionary Army. It was reasonable enough to suppose that the welfare of a numerous and closely-wrought association, intimately bound together, would be more regarded than that of a single, isolated individual. And we are confirmed in this idea by the speedy manner in which so many members of the Cincinnati lost their interest in the Society when subsequent events showed them how unfounded were their fears. The future welfare of the army certainly was a prevailing thought at this time among its members. Whilst some were engaged in concocting the association in question, and considering in what manner its utility could be best promoted, we find Colonel Pickering, with a wiser and less selfish forecast, preparing the first draft of the Military School at West Point, that has been of such essential benefit to posterity.

And this stage of our sketch brings us to the formation of the Society. In the early part of May, 1783, proposals for its establishment had been communicated to the several State lines in the cantonment of the American Army on the banks of the Hudson, which were most favorably received. Accordingly, an officer from each line was informally appointed to meet the general officers on Saturday, the 10th of May, at Baron de Steuben's quarters, to take the same into consideration. At this meeting, the Baron, being the senior officer present, presided. The proposals were duly considered, amendments offered and agreed to, and the whole matter referred for revision to a committee consisting of Major General Knox, Brigadier-General Hand, Brigadier-General Huntington, and Captain Shaw, with instructions to prepare a fair copy to be laid before the meeting at the same place upon Tuesday, May 13th. At this adjourned meeting, the committee presented their report, which was at once accepted. It commences as follows:—

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"It having pleased the Supreme Governor of the Universe, in the dispensation of human affairs, to cause the separation of the Colonies of North America from the domination of Great Britain, and, after a bloody conflict of eight years, to establish them free, independent, and sovereign States, connected, by alliances founded on reciprocal advantages, with some of the greatest princes and powers of the earth:

"To perpetuate, therefore, as well the remembrance of this vast event, as the mutual friendships that have been formed under the pressure of common danger, and in many instances cemented by the blood of the parties, the officers of the American Army do, hereby, in the most solemn manner, associate, constitute, and combine themselves into one SOCIETY OF FRIENDS, to endure as long as they shall endure, or any of their eldest male posterity, and in failure thereof, the collateral branches, who may be judged worthy of becoming its supporters and members.

"The officers of the American Army having generally been taken from the citizens of America, possess high veneration for the character of the illustrious Roman, LUCIUS QUINTIUS CINCINNATUS; and being resolved to follow his example, by returning to their citizenship, they think they may, with propriety, denominate themselves THE SOCIETY OF THE CINCINNATI.

"The following principles shall be immutable, and form the basis of the Society of the Cincinnati:

"An incessant devotion to preserve inviolate those exalted rights and liberties of human nature for which they have fought and bled, and without which the high rank of a rational being is a curse instead of a blessing.

"An unalterable determination to promote and cherish, between the respective States, that union and national honor, so essentially necessary to their happiness, and the future dignity of the American empire.

"To render permanent the cordial affection subsisting among the officers. This spirit will dictate brotherly kindness in all things, and particularly extend to the most substantial acts of beneficence, according to the ability of the Society, towards those officers and their families who unfortunately may be under the necessity of receiving it."

Then ensues a series of regulations for the government of the Society. The General Society is divided into State Societies, and these again may be subdivided, according to their several convenience.

The State Societies are to meet, at least, on the fourth day

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of July of every year; and the General Society triennially, on the first Monday in May. As the General Society is to be governed by a president, vice-president, secretary, treasurer, and assistant treasurer, so a like form of government is provided for each State Society. Ample powers are given to each State Society for the management of its own internal police, (so to speak,) extending even to the expulsion of a member "who, by conduct inconsistent with a gentleman or a man of honor, or by an opposition to the interests of the community in general, or the Society in particular, may render himself unworthy to continue a member." The triennial meeting of the General Society is to consist of its officers, and a delegation of not more than five members from each State Society; and at each meeting, its officers for the next three years are to be chosen. The funds of the Society are to consist of one month's pay of each officer who shall join it within six months from the disbandment of the army, the money to be paid into the treasury of their respective State Societies. On becoming members, each officer is required to subscribe to the following condition: —

"We, the subscribers, officers of the American Army, do hereby voluntarily become parties to the foregoing institution, and do bind ourselves to observe, and be governed by, the principles therein contained. For the performance whereof, we do solemnly pledge to each other our sacred honor."

Any officer who, after three years' service, had resigned with honor, or who had been *deranged*, as it was termed, by the resolutions of Congress *reforming* the army, or who should continue in service until the close of the war, was made eligible as a member; and honorary members, in a proportion not exceeding one to four of the original members or their descendants, were authorized to be admitted from suitable characters in the respective States. In addition, "the Society, deeply impressed with a sense of the generous assistance this country had received from France, and desirous of perpetuating the friendships which had been formed, and had so happily subsisted, between the officers of the allied forces in the prosecution of the war," in its articles of association especially

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named the Chevalier de la Luzerne and M. Gérard, the then French minister and his predecessor; the Count de Estaing, the Count de Grasse, the Count de Barras, and the Chevalier de Touches, admirals and commanders in the navy; and the Count de Rochambeau and the generals and colonels of his army, as members of the Society. And until the first general meeting in May, 1784, General Washington was appointed to act as President-General, Major-General Knox as Secretary-General, and Major-General McDougal as Treasurer-General.

An Order, by which its members should be known and distinguished, was also agreed upon. As first proposed, it was to consist of a medal of gold, of a proper size to receive the emblems, to be suspended on the breast of the wearer by a deep blue ribbon, two inches wide, and edged with white, to signify the union of America and France. But at the suggestion of Major L'Enfant, of the French service, contained in his letter to the Baron de Steuben, of June 10th, 1783, the notion of a medal, according to the idea generally received of its nature, was abandoned. Major L'Enfant had been requested by the Baron to furnish a sketch of the desired decoration; and in his reply, he mentions the circumstance that a medal, whether round or oval, was universally considered in Europe as a reward of persons of an inferior rank, or the badge of some manufacturing or religious society; referring probably, by the last, to the various mendicant orders of friars, &c. He, therefore, had designed a device which gave the greatest satisfaction to the Society, by whom it was at once adopted. From one of these original decorations, now before us, we form our description. It consists of an American or bald-headed eagle, made of gold, with the head and legs and tail feathers in white enamel, flecked with gold. The attitude is, we believe, what is called *displayed*. The talons grasp golden olive branches, the leaves in green enamel, which are continued around the figure, so as to form a wreath above its head, to which the clasp is attached. The eyes are of precious stones. Upon its breast is borne an oval shield, in white and blue enamel and gold. The figures upon the shield are essentially those agreed upon by the Society in the first instance, namely: On the face, the principal figure is that of

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Cincinnatus, three senators presenting him with a sword and other military ensigns; on a field in the back-ground, his wife standing at the door of the cottage; near it, a plough and other instruments of husbandry. Around the whole, the legend, OMNIA RELINQUIT SERVARE REMPUBLICAM. There is a slight deviation here from the language of the legend as at first decided upon; the word *relinquit* is substituted for *reliquit;* and with great propriety. On the reverse of the shield is portrayed the sun rising; a city with open gates, etc.; Fame crowning Cincinnatus with a wreath, (to have been inscribed, according to the articles of institution, *Virtutis præmium;* but no such phrase appears on the shield.) Agricultural implements are scattered around, and beneath appear two hands supporting a head. Here again should be found the motto, *Esto perpetua;* but we cannot discover it. Around the whole is the legend, SOCIETAS CINCINNATORUM INSTITUTA A. D. 1783. These eagles were executed in France by a competent artist, and are really of very tasteful and elegant design and workmanship. It was resolved, about the same time, to cause a silver medal, of the size of a Spanish milled dollar, to be prepared and given to every member of the Society, together with a diploma of membership upon parchment: the medal to be engraved according to Major L'Enfant's designs, and the diploma to bear an exact figure of it. Though the latter was duly issued, we cannot learn any thing further of the silver medal, and we rather apprehend that the gold eagle, above described, was substituted in its place. The medal engraved upon the diploma, however, corresponds precisely to that originally ordained by the Society. The various figures grouped upon the diploma remind us of the idea conveyed by those upon the celebrated Alliance medal, struck at Paris a short time previously, a description of which may be found in Tudor's Life of James Otis, page 69.

Major-General Heath, second in command in the Northern Army, having been previously directed to transmit a suitable notification of all that had been done in the premises to the commanding officer of the Southern Army, (General Greene,) to the senior officer in each of the States, and to the commanding officer of the Rhode Island line, the convention of officers

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that had determined upon the preceding regulations was, on the 19th of June, 1783, finally dissolved, after having been in session for more than a month. So far as we can ascertain, its members consisted of Major-Generals Heath, the Baron de Steuben, Knox, and Howe; Brigadier-Generals Patterson, Hand, Huntington, and Putnam; Colonels H. Jackson, Webb, and Cortlandt; Lieutenant-Colonels Huntington, Hull, and Maxwell, Major Pettengill, Captain Shaw, and Lieutenant Whiting. Captain Shaw was an aid-de-camp to General Washington, and, we believe, a favorite member of his military family. He was certainly a very gallant and accomplished officer, and his connection with the Commander-in-chief was of some moment on this occasion. For, though all the members were supposed to meet as brothers — *magis pares quam similes* — the reverence and affection felt for their chief by the army would have effectually served to crush any scheme that he was supposed to have discountenanced.

In this wise, then, was formed the Society, and all things seemed to be going on in the full tide of successful experiment. Its objects were generous and noble; its members numerous and illustrious; its honors eagerly sought and highly prized. The foreign officers, particularly, to whose preconceived notions such an ornament was peculiarly appropriate and gratifying, hastened to assume its decoration; and the eagle of the Cincinnati dangled beside the grand cross of the Royal and Military order of St. Louis, upon the breasts of the most elevated and noble of the French service, and constant applications for admission were made from beyond the seas. But this state of affairs was not fated long to continue. There were men who had not forgotten or forgiven the manner in which the army had resisted the attempt to whistle it down the wind, a prey to fortune. There were many more, with brains now more active than ever their arms had been, whose busy imaginations saw all sorts of evils in the institution of what they were pleased to consider an hereditary aristocracy — a privileged class — growing up in the midst of a free republic, the effect of whose increase would be like that of a noxious weed in a bed of flowers. Others again, statesmen and philanthropists, could not reconcile the institution with

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the pure, unalloyed state of happiness and equality which was to be a natural result of our revolution. Alas, poor human nature! shall it ever be that a political millennium will dawn upon the earth, and that all mankind will awake, some fine morning, all inspired with the same rational desires, all equally enabled to gratify them, all equally wise, and healthy, and young and happy, and death and sorrow and sin forever pass away? *We* do not believe any such result will ever ensue from any form of human government that the mind can devise. But, in fine, where so many regarded the Cincinnati with jealousy or envy or mistrust, there were not wanting the usual voices to open the attack or to join in the cry. In a few months after its formation, there appeared a cleverly written and most earnest assault upon its principles, its regulations, and its necessary and inevitable tendencies, over the signature of a writer styling himself "Cassius," but who was well known to be Mr. Ædanus Burke, one of the Chief Justices of South Carolina.

Of this gentleman we have been able to glean but little information, and that little not very satisfactory. He seems to have been one of those men who are born to disappoint every expectation of their friends: just as an Irish philosopher observed of Mr. Pitt's celebrated Martello towers, which encircled the coast of England professedly to protect the island, and yet so built that, while they afforded most uncomfortable barracks for a corporal's guard, they could not have resisted five companies of French invaders and a couple of field pieces more than half an hour. When the premier was taunted by the opposition with their erection, and the question was put, what on earth could have been the object of building them? "To puzzle posterity, to be sure," aptly answered an Irish member. So of our author: gifted by accident with a name calculated in itself to attract attention;

> Nom peu connu, même parmi les saintes;

and by nature with good parts, and with an application that resulted in an unusual store of acquired learning, he added to the whole a mental restlessness and uncertainty which in the end prevented his ever attaining any decided preëminence, even

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among the leading characters of his native State. Some few years later, he was the second of Colonel Burr in his first duel, (September 2d, 1789,) with a Mr. Church, at Hoboken. The balls for Burr's pistol were intentionally cast too small, and had to be wrapped in chamois leather, and that greased, before they were put in the barrel (in short, we suspect Burr's pistols were *rifle-barrelled*,) a circumstance which his principal pointed out to him before loading. When the antagonists took their ground, Burr observed his second hammering away on the ramrod with a stone, and instantly perceived that he had forgotten his admonition to grease the wad. On inquiry, however, Judge Burke hastily thrust the weapon into his hand. "I forgot to grease the leather," said he, "but you see he is ready; don't keep him waiting. Crack away, and I'll grease the next." Another anecdote will serve equally well to confirm the impression we have received of the erratic character of the man. He was accustomed, on leaving the bench, to hang up his silken robes in the house of a Mrs. Van Rhine, who dwelt hard by the court-house. On one occasion, he took, by mistake, from the lady's closet, her black silk petticoat, that had been suspended beside his gown. As he ascended the bench, he robed himself, thrusting his arms through the pocket holes, when, for the first time discovering his error, he exclaimed, to the great edification of the bar, jury, and audience, with his favorite oath, "Before God, I have got on Mrs. Van Rhine's petticoat." A prisoner before him was once conclusively proven to have been guilty of stealing a horse of the value of five pounds, a capital offence; and also, of having previously taken several drinks of whiskey. The judge, rather reluctant to hang a man for so small a theft, charged the jury entirely on the point of the whiskey. "When I was a boy, gentlemen," said he, "I was in the habit of drinking whiskey myself, and I found the invariable effect to be that, without the least *animus furandi*, I was assailed with the most irresistible desire to steal!" Whether convinced by the judge's law or a fellow feeling, we know not; but the jury promptly rendered a verdict of acquittal. Mr. Burke happened to have recently published a pamphlet on the affairs of his own State, casting down the glove to

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Governor Rutledge and the dominant faction of the day. It was by these very men that the Institution of the Cincinnati in South Carolina was most warmly espoused. This was sufficient to fire his mind against the scheme. With a spirited but specious pen, he attacked its origin, its constitution, and its consequences. The utter absurdity of his reasoning cannot be better shown than by quoting his own language. In a very few years, said he,

"The Cincinnati at any rate would have and hold an exclusive right to offices, honors, and authorities, civil and military; and the whole country, beside themselves, a mere mob of plebeians, without weight or estimation, degraded in the eyes of our patricians as the Roman people were in the eyes of their nobility. These held the others, as Tacitus says, *invisi Diis immortalibus* — as if they were odious to the very gods; and, as the Cincinnati soon would, held it an abomination to intermarry with them."

Can any thing be more ridiculous, or more completely falsified by the event? But such language made a considerable impression at the time, all over the country. There was, to be sure, a temperate answer published in the same year, at Philadelphia, to the inflammatory philippics of our author, but it produced no effect; and indeed, if the "obscure individual," as the author of the Reply signs himself, has never done any thing more clever than this performance, he may well remain in his undisturbed obscurity. Numbers of well-meaning, and some usually well-judging, people took the alarm, and the Legislature of Massachusetts even went so far as to instruct a committee "to inquire into any associations or combinations to introduce undue distinctions into the Commonwealth, and which might have a tendency to create a race of hereditary nobility, contrary to the confederation of the United States and the spirit of the Constitution of that Commonwealth." But we do not learn that the committee ever made any report, and the popular excitement, such as it was, soon subsided into a jealous watchfulness on the part of those political waiters on Providence, who are ever on the look out to improve their position. In this very Commonwealth of Massachusetts, the State Society held its assemblies as usual; and at a large meeting at Boston, February 10th, 1784, General Lin-

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coln (in the absence of General Heath) presiding, proceeded to choose its delegates to the first General Meeting, to be held at Philadelphia, on Tuesday, the 4th of May ensuing. We have before us a manuscript journal of that meeting; and it may serve to show how keenly were felt, even in the Society itself, the repugnance and hostility towards it of certain persons who were thought to be more powerful than they really were. The whole journal is written in cipher, the key of which was only elucidated after a long and tedious examination. From it, we learn that the following gentlemen were the delegates from the several States, and in their names the reader may find a sufficient guaranty of their wisdom and patriotism. From New Hampshire, Henry Dearborn; from Massachusetts, Henry Knox, Rufus Putnam, David Cobb, William Hull, Winthrop Sargent; from Rhode Island, Nathanael Greene, James Varnum, Jeremiah Olney, Daniel Lyman, Samuel Ward; from Connecticut, Samuel H. Parsons, Jedediah Huntington, Heman Swift, David Humphreys, Jonathan Trumbull; from New York, Philip Cortlandt, William S. Smith, Nicholas Fish, James Fairlie; from New Jersey, Elias Dayton, David Brearly, Jonathan Dayton, Aaron Ogden; from Pennsylvania, John Dickenson, Stephen Moylan, Thomas Robinson, Thomas B. Bowen, Abraham G. Claypoole; from Delaware, James Tilton, Thomas Moore; from Maryland, Otho Holland Williams, Nathaniel Ramsay, William Paca; from Virginia, George Weedon, William Heth, Henry Lee, James Wood; from North Carolina, Reading Blount, Archibald Lyghte, Griffith McRae; from South Carolina, William Washington, Walton White, Lewis Morris, George Turner; and from Georgia, John S. Eustis, Alexander D. Cuthbert, John Lucas, and James Fields. We have recited their names at length, because it was at this meeting that questions affecting the very existence of the Society were mooted, and here it may be seen of what metal the delegates were composed. It was at this meeting that a reformed constitution, confining the Society entirely to its original members, and doing away altogether with the hereditary part of the institution, as at first agreed upon, as well as all honorary members, was proposed, and, very much against the personal

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inclinations of a large proportion of the delegates, carried. But, as the General Society had no power to effect such an alteration, all it could do was to address a circular recommendatory letter to the State Societies, strongly urging the change; and though warmly pressed by Washington, both as President-General of the Society, in the circular above alluded to, and in his private correspondence, it was never acceded to by the State Societies. Consequently, the Cincinnati exist to this day precisely on the same footing as when they were first united. It was not, however, as a matter of simple justice that Washington advocated this concession to popular prejudice; it was as mere matter of conscience and expediency. On December 11th, 1785, he wrote thus to Hamilton: —

"That the jealousies and prejudices against this Society were carried to an unwarrantable length, I will readily admit; and that *less* than was done *ought* to have removed the fears which had been imbibed, I am as clear in, as I am that they would not have done it. But it is a matter of little moment whether the alarm which seized the public mind was the result of foresight, envy, and jealousy, or a disordered imagination; the effect of perseverance would have been the same. Wherein, then, would have been found an equivalent for the separation of interests which (from my best information, not from this State only, but from many) would inevitably have taken place?

"The fears of the people are not yet removed; they only sleep: and a very little matter will set them afloat again. Had it not been for the predicament we stood in with respect to the foreign officers and the charitable part of the institution, I should, on that occasion,* so far as my voice would have gone, have endeavored to convince the narrow-minded part of our countrymen that the *amor patriæ* was much stronger in our breasts than in theirs, and that our conduct, throughout the whole of this business, was actuated by nobler and more generous attributes than were apprehended — by abolishing the Society at once; with a declaration of the cause, and the purity of its intention. But the latter may be interesting to many, and the former is an insuperable bar to such a step." *Works of Hamilton*, i. p. 430.

It is doubtless owing to the fact that the General Meeting of 1784 had consented to and recommended the abolishment of the principle of primogeniture or hereditary succession, etc.,

* Washington here alludes to the General Meeting at Philadelphia, in 1784.

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and to the views of its effect as above expressed by Washington, that the idea got abroad that the change had been ratified by the Cincinnati at large. We have shown this to be an error; nevertheless, it is so laid down even by the accurate Marshall, who, one would suppose, must have had personal opportunities of knowing better, and is repeated by Sparks, Guizot, and Hildreth; and, last of all, Mr. Charles Francis Adams, in his edition of the works of his grandfather, while disagreeing with the prognostications of evil from its continuance expressed by President Adams, takes occasion to praise the wisdom of the Society in relinquishing the obnoxious features of its constitution and bowing before the storm. If, therefore, this historical oversight is worthy of contradiction at all, it is high time it were done now, ere it be inadvertently repeated in the forthcoming volumes of Mr. Bancroft.

At the General Meeting of 1784, the first regular officers of the Society were chosen. Washington, of course, was named President-General; General Gates was elected Vice-President-General, and General Knox, Secretary-General. The presiding officers, since the organization of the Society, have been as follows: George Washington, Alexander Hamilton, Charles Cotesworth Pinckney, Thomas Pinckney, Aaron Ogden, of New Jersey; Morgan Lewis, of New York; William Popham, of New York, and Henry A. S. Dearborn, of Massachusetts. In consequence of the late death of General Dearborn, his place is, we believe, for the present filled by the Hon. Hamilton Fish, of New York, the Vice-President-General.

There were, as we have before intimated, several men, who deservedly stood high in the esteem of their countrymen, who joined in the views expressed by Judge Burke of the impropriety of the institution. The chief among these were Mr. John Adams and Mr. Jay, both absent on foreign missions, and both making up their conclusions at a distance of many thousand miles from the scene of controversy. The lack of friendliness — perhaps of mutual esteem — that subsisted between Franklin and Adams, is well known. Therefore, it is not surprising that we find them upon opposite sides in this matter. Franklin, with his wonted astuteness, saw readily the futility of the fears that arose on account of the existence

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of the Cincinnati; Jay and Adams warmly denounced it. The latter not only inveighed against it in his private letters, but, even in his Defence of the American Constitutions, stepped aside to lift up his voice against the association. The disapprobation of these men seems to have excited some attention in Europe. Lafayette as warmly opposed their conclusions, however; and, in his correspondence with Washington, we find him stoutly professing his attachment to every part of the institution, particularly to what he styles the "hereditary" portion. This dispute had the effect, at last, of bringing the Comte de Mirabeau into the controversy, who, in 1785, published his "*Considérations sur l'Ordre de Cincinnatus*," a volume of several hundred pages, in which he sustains very cleverly the ordinary objections proposed against it. This work, a turgid translation of which was soon afterwards published at London, and which is professedly an imitation and enlargement of Burke, is curious as being the first production ever given by Mirabeau over his own name to the world.

Despite all the opposition, however, of Jay and Adams, with Mirabeau to back them, the Society continued to flourish in high honor among the French officers, until their Revolution put an end to nearly every one who had ever earned its decoration. It would make an interesting chapter, had we space to pursue the subject, to trace out the fate of the various members of the French branch of the Order; of Lavalette and Laumoy, of De Bouchet, Du Portail and Gimat, the Chevalier de la Moth, the Marquis du Chastellux, of Armand and Estris de Corny; all gallant, chivalrous soldiers in the American war. Gouvion, the friend of Washington, the favorite of Lafayette, was slain in 1792. The Vicomte de Noailles, after being proscribed by the Republic, and his wife (the sister of Madame de la Fayette) beheaded in the earliest bloom of youth, was suffered to seek and find his own death on American soil. He met his fate, as he doubtless must have wished, at the head of his grenadiers and in the moment of victory. Another noble spirit, the Chevalier Duplessis-Mauduit, who had received his eagle from the hands of Washington himself, was murdered in a revolt of his own

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troops at Port-au-Prince in 1791. Infected by the arrival in St. Domingo of a regiment drafted partly from the galleys and partly from the Jacobin clubs of Paris, his men suddenly rose against him, in the name of what they were pleased to style 'the rights of man.' One of his own grenadiers dealt him a sabre stroke that cleft his face asunder. "*Tu donnes bien mal un coup de sabre pour un grenadier*," retorted his unfortunate colonel, throwing bare his breast: "*C'est ici qu'il fallait frapper!*" and he fell dead, with twenty bayonets buried in his heart. Who does not recollect the gallant Baron de Viomesnil, who, in conjunction with Lafayette, carried by storm the two redoubts at Yorktown? He was murdered on the 10th of August, 1792, at the head of those few score gentlemen of France, who, armed only with their dress rapiers and what chance weapons they could lay their hands upon, defended the Tuileries against the attack of thousands, in the vain attempt to preserve the life of their king, and the laws and liberties of their nation! Lamartine gives, in his Histoire des Girondins (vol. iii. p. 394) a picturesque description of the entrance of a foul mob of Marseillais into Paris, in 1792, dragging with them, in defiance of the express prohibition of the Convention and of the laws of the land, a number of *suspected* prisoners, loaded with chains, and headed by the venerable Duc de Brissac, whom they had brought from Orléans, to be butchered in the capital. At the tail of the horse of Fournier, the American, the wretch who commanded this crew, dangled a collar composed of the eagles of the Cincinnati and the crosses of St. Louis, torn from the breasts of his unhappy victims, and dragged thus amid the shouts and jeers of the populace through the blood-stained streets of that guilty city. It is hardly necessary to add that the prisoners, manacled and defenceless as they were, were set upon almost on the moment they had entered within the town walls, and were publicly assassinated with every aggravation of inhuman barbarity, ere they had even undergone the mockery of a trial, and without even being brought to a halt or suffered to be lodged in jail. Forty-seven bodies, with hands and feet still fettered together, heaped up in the middle of the street, attested that day, says Lamartine, both the cruelty and the

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cowardice of their butchers. Their bleeding hearts were exhibited in the cafés; their dissevered heads were stuck around the palace of Versailles, or placed upon the President's table in the Chamber of the National Convention, amid the unsuppressed applause of the members. He was a fortunate man among the French Cincinnati that met an honorable death upon the battle-field; thrice blessed was he who died in his bed. Among the few, however, for whom Fortune reserved happier days, we notice some not uninteresting names. Anne de Montmorenci, Prince de Laval, the descendant of the Grand Constable, was one of the regiment of Noailles (Chasseurs d'Alsace) so fruitful of future republican generals. His adherence to the Bourbons was rewarded with the Golden Fleece, and numberless other honors and dignities, and he died only in 1837. So, too, the Count de Ségur, son of the famous French minister, and his wife, a beautiful Creole of America, survived until 1832, having enjoyed, as statesman, diplomatist, and author, an enviable career. But the destinies of the French Cincinnati have not been auspicious; and when, a few years back, it was sought to obtain some light as to the present condition of the Society, the result of the inquiry was very discouraging.

It remains only to bring our sketch of the Order in America from 1784, where we left it, down to the present time. Since that period, very little has been said or done, from without, against its tranquillity. A Mr. Brackenridge, with a genius as erratic, though not quite so highly favored, as Mr. Burke's, attempted a sort of *Cincinnatiad*, in doggerel verse, the poetical merit of which is not very remarkable. Like his colleague, too, he bore the judicial ermine, being afterwards one of the Supreme Court of Pennsylvania. Internal decay has been the chief enemy of the Society. From political motives, we presume, the Virginia State Society was soon dissolved: of those of North Carolina and Georgia, New Hampshire and Rhode Island, we can learn nothing; we presume they, too, have ceased to exist. In 1804, the Connecticut Society was dissolved, in consequence of the refusal of the legislature to grant them a charter; and long before that time, the Delaware Society had taken the same step, and divided its

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funds among the members. Of the Maryland Society we can discover little more than what is contained in the Appendix to Mr. McSherry's history of that State. He says that its original rolls, institution, etc., are deposited with the Historical Society of Maryland; from which we conclude it also must have been dissolved. He adds a list of the names, ranks, time of service, date of commissions, and residences of the original members — one hundred and fifty-one in all. Among them we find the names of Smallwood, Gist, and Otho H. Williams, of Goldsborough, John Eager Howard, Tench Tilghman, Jenifer, and other famous men. According to the rules of the Society, the representatives of any of these gentlemen, or of the members of any State Society, may obtain admission into that of any State in which they may happen to reside; a privilege of which they perhaps are ignorant. In South Carolina, Pennsylvania, New Jersey, New York, and Massachusetts, the Society is still preserved with more or less zeal. In South Carolina, where General Moultrie was the first President, the number of original members was one hundred and thirty-one. In 1849, the Society numbered seventy-one active members. In Massachusetts, the original members amounted to three hundred and thirty-four. Further than that it is reported to flourish, we know nothing of its present condition. Of New Jersey, from first to last, we cannot glean any thing, save that it still exists on apparently a very excellent footing. No State Society is, perhaps, in a better position than that of Pennsylvania, though its rolls show a present strength only of some fifty or sixty members, compared with an original roll of two hundred and fifty-nine. But it has enjoyed the advantages of incorporation ever since 1792; its affairs have always been well managed, and its pecuniary condition is very respectable. And, not unmindful of its charitable nature, we are told that it accomplishes a considerable though unseen amount of good. It is in New York, however, that we apprehend the Society has been preserved with the greatest warmth. Virginia has hardly afforded a larger proportion of Presidents to the Union than this State has to the Cincinnati. Hamilton, Lewis, Popham, all Revolutionary officers, were citizens of New

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York; and now we see Senator Fish, of that State, the actual presiding officer. When Colonel Hamilton, being at the time President-General of the Society, was killed by Burr, in 1804, to the New York Cincinnati was committed the direction of his funeral obsequies; and a pathetic inscription in the robing room of Trinity Church still attests the sincerity of their grief. So late as 1826, the prescribed forms, observed on the admission of a new member, were so curious that we cannot resist transcribing some account of the admission of Chancellor Robert R. Livingstone, in 1786. The audience being prepared, we are told, "and the kettle-drums and trumpets having already occupied their places," the standard-bearer of the Society, in his ancient Continental uniform, escorted by four members also in full uniform, took his position on the right of the *dais*. Then entered the Masters of Ceremony; the members, two by two; the Secretary, carrying the original Institution, bound in light blue satin; the Treasurer and Deputy-Treasurer, bearing white satin cushions, on which were displayed the eagles and diplomas of the new members; the Vice-President, and, last of all, the President, who, on this occasion, was the Baron de Steuben. At his entrance, the standard saluted, and the kettle-drums and trumpets gave a flourish, until he had taken the chair of state on the *dais*, when the standard was again raised, and the members, who till now had remained standing, seated themselves. The candidates having been then introduced and duly admonished, the President and all the members arose, and the former, covering, with much form and ceremony, admitted the new comers into the Society, and introduced them to their brother members. This custom, however, has gone out of vogue now, like another rule of the Society, that every member should appear in his cocked hat and side-arms on the fourth of July: — a pretty figure a modern member would cut in such a guise! This State Society originally comprised two hundred and thirty members; its present numbers are seventy-three. In looking over the original roll, we were irresistibly reminded of Irving's nomenclature of Governor Stuyvesant's army, such a goodly array of old Knickerbocker names greeted our eyes: Tjerck Beekman, Brockholst Liv-

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ingston, Wilhelmus Ryckman, Rudolph Van Hoevenbargh, Tunis Van Wagenen, David Van Horne, and to crown all, *Goose Van Schaick*, Colonel of the 1st N. Y. Regiment! We verily fear that last gentleman's posterity have not perpetuated the family name.

The continual decrease in the ranks of the Cincinnati seems, reasonably enough, to have occasioned its members considerable food for reflection. There are several causes that have tended to produce this result, beside a possible disinclination to join on the part of those entitled to do so. Families die out; others remove to some other State, in the West, perhaps, where there are no organizations; and in a generation or so, the matter is lost sight of. At their last general meeting, however, a change in the Constitution was proposed to the different State Societies, to be acted on by them previously to the next general meeting in 1854. The effect of these alterations is to admit any or all of the male posterity of all those, who, under the original institution, *might* have joined the Society, even though they should have neglected so to do. Of course, this admission is placed under proper regulations. If all the State Societies agree to this measure, we may again see the Cincinnati in prospect of a prolonged existence. Otherwise, we fear that its race is nearly run; the same causes that have hitherto operated to waste it away will continue to work, till at last only its name will endure among us. We therefore trust to see these amendments adopted in sufficient season to prevent our surviving to read the epitaph of the Society, and to say of its memory what we would much prefer to continue to say of its incorporate self — *Esto Perpetua!*

ART. II. — *The Voyage of Life, Course of Empire, and Other Pictures of* THOMAS COLE; *with Selections from his Letters and Writings, illustrative of his Life, Character, and Genius.* By LOUIS L. NOBLE. New York: Lamport, Blakeman & Law. 12mo.

WE cordially recommend this volume, as an accurate and

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pleasing record of a most instructive life. The facts are authenticated by copious extracts from the diary and correspondence of the subject of it, and by sketches and minutes furnished by his friends. The critical remarks are confirmed by the judgment of men of pure taste, from both sides of the Atlantic; and our own recollections, which time can never efface, justify us in saying that there is no exaggeration in this estimate of a character, at once gentle and firm, enthusiastic yet just, impulsive but persevering, full of sympathy for all that was beautiful in nature and good in man, upright and true in all the relations of life, and in which the feelings and aspirations of the poet were always subjected to the duties and responsibilities of the christian. It was a life to be written both for the present and the future, a grateful remembrance for those who knew him, an eloquent exhortation for those who, like him, would strive earnestly in paths which, in this bustling world of ours, are beset with peculiar trials, and an assurance to all, when their steps falter and their hearts grow faint, that their sacrifices will not be forgotten. We shall avail ourselves of Mr. Noble's labors to sketch, in outline, the picture which he has drawn with so just an appreciation of his subject.

Thomas Cole was born at Bolton-le-Moore, Lancashire, England, on the first of February, 1801. He was the only son in a family of eight children, and the youngest child but one. His father was a cotton manufacturer, an amiable and upright man, with some share, it is said, of the poetic temperament which was imparted in so large a measure to his son, but with few of those qualities which make the successful man of business. He failed, and removed to Chorley, a few miles from the scene of his misfortune, where he hoped to find a better opening. But a change of place was not followed by any favorable change in his circumstances, and he continued to struggle along, with a large family to educate and provide for, as best he might.

Thomas was in his ninth year, diffident, sensitive, with tastes very different from those of the natural companions of his age, and apparently unfit for a hard struggle with life. His first experience of it was at a school at Chester, where

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harsh treatment and bad fare broke his health. Then he was put into a print-work at Chorley, and employed in making designs for calicoes. His father would have had him bind himself out to an attorney or an iron manufacturer; but his artistic sense was already awakening, and he found a charm in his drawings and colors, which neither of the other occupations possessed, though fortune seemed to lie directly in their path. As a compensation for the rude companions he was compelled to live with, he had the good luck to find, among his fellow-laborers, an old Scotchman, who took a fancy to him, and won his affections at once by repeating ballads to him, and telling him long stories about the lakes and mountains of Scotland. In his leisure hours, his greatest delight was to take long walks with his sister Sarah, through the green lanes and among the fields, as if he already began to feel in what a close companionship he was to live with nature. When their rambles led them far from home, and they began to feel tired, they would look out for some pleasant little nook to rest in, and wile away the time with music, his sister singing and he accompanying her on the flute, which he played sweetly. Soon, too, but how soon we are not told, he began to write verses, which had merit enough to attract attention beyond the family circle. In short, the history of these first years is a tale that has often been told, of unconscious genius forcing its way instinctively, like a plant misplaced, towards the genial ray which alone can make it what nature meant it to be.

Meanwhile, his father was as much straitened as ever, and was anxiously casting about him for some means of making a better provision for his family. A few years later, his thoughts would naturally have turned towards America; but emigration had not yet become the matter of course for an European in distress, that it is now, and but for one of those apparent chances, which so often decide for us when we are at a loss to decide for ourselves, he would, in all probability, have continued to struggle on in the old track, till Thomas had found out his true vocation, and made his way to patronage and the Royal Academy, or worn himself out in the contest. This chance was a book about North America, with de-

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scriptions of wild forests, and vast lakes, and mighty rivers, which set the young poet's imagination in a glow. This was the country for him, and if he could only once find himself on the banks of the Ohio, life would be a different thing for them all. The enthusiasm was quickly communicated to the rest of the family, and all began to turn their thoughts westward. Either before this decision was taken, or while the preparations were making, Thomas went to Liverpool to work as an engraver, the last struggle for mere sustenance in the land of his birth. On the 3d of July, 1819, he landed, with all his family, at Philadelphia.

Here, too, engraving was his first resource. His father opened a dry goods store, and Thomas sought employment of the booksellers, who, little conscious of the rare genius that was toiling for them in working out wood-cuts for school-books and cheap editions of popular works, wounded his sensitive nature by calling him a wood-cutter. One of the records of these toilsome days, which nothing but his buoyant hopefulness could have carried him through so cheerfully, is still preserved in his family, — an object of deep interest, in spite of its artistic deficiencies, and somewhat more so, perhaps, for its subject, a figure of grief leaning upon a monument under the shade of a willow tree. Some of his early companions, too, have preserved affectionate recollections of him at his daily task, whistling and singing by turns, as he plied his "graver," then taking up his flute and playing an air or two, sometimes so sweetly as to bring the tears to their eyes, and then, with lightened spirits, seating himself again at his little table under the window-sill, and working away as busily as if his heart had been in the task.

His father, after a short and not very successful trial in business, had followed out his original plan and settled himself on the banks of the Ohio. Thomas remained in Philadelphia, boarding in a Quaker family, where his memory is still cherished, and working for the booksellers. Here he made the acquaintance of a young law student, who making, in the winter, a voyage to St. Eustatia for his health, prevailed upon Cole to accompany him. This voyage gave him a sight of the rich scenery of the tropics, with its

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luxuriant vegetation, and undoubtedly hastened the development of his artistic instincts. He made a view of St. Eustatia, which, though nothing more, we believe, than a copy, deserves mention, as one of his earliest efforts with the pencil. And here, too, we find him indulging his taste for those foot excursions, which, in after years, contributed such treasures to his portfolio, and have left such delightful recollections with the friends who had the good fortune to share them. In May, he returned to Philadelphia, and in the autumn, set out to join his family at Steubenville, walking the greater part of the way, buoyant, hopeful, and as light of heart as in purse.

His new home was just such a one as a landscape painter or a young poet would love, — rich forest scenery, a noble river, deep solitudes within his reach on every side, and immediately around him fresh traces of the struggle between man and nature. Here he remained two years, the most important, perhaps, of his life, though neither he nor any one that saw him at the time could have divined what they were doing for him.

His father had opened a manufactory of paper-hangings, and, in the designs and arrangement of the colors, he found something congenial enough with his natural tastes to make the assistance required of him not altogether an ungrateful task. It was not like working in iron, or studying forms in a lawyer's office. He could ramble about, too, as he chose, and enjoy nature even more freely than when he used to stroll with his sister through the green lanes of England. But he had reached that point at which the mind is no longer satisfied with the consciousness of present enjoyment. It was as delightful as ever, and even more so, to walk by the river side, and lie down under the old trees, and watch the checkered play of light and shade on the leaves and the grass. But from this keen delight sprang a longing for something more than the mere forms of nature could give, a yearning after something vague and indefinite, perhaps, but the want of which made him sad; a feeling like that with which we look at the stars on a clear night, wondering at their beauty and loving them for it, and yet striving all the while to look beyond. His love of music made this feeling still stronger.

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The enjoyment of nature is never complete except when the eye and the ear perform their parts equally; and with his flute he could recall the impressions which sweet sounds had made. Yet when he had played his sweetest tune, his heart was not satisfied; and when he had done his best to describe his feelings in verse, he felt that there was still something wanting to the full expression of his love of nature, and the thoughts which beautiful objects awakened within him.

There is no part of life more painful, and at the same time more interesting, than this. We have watched it more than once, and a fearful struggle it is, though there are some who pass through it almost unconsciously, and come out upon you when you least expect it, with a consciousness of purpose, and a power and fulness of expression, that seem like a sudden gift.

We once knew a young artist in the second stage of this development. He had learned to draw accurately and color with effect; but he had not learned to arrange his thoughts distinctly, and his mind was teeming with them. Every thing seemed to take the form of a picture for him. One afternoon in Lent, we were wandering together through the crumbling galleries of the Coliseum, pausing now and then to pick a shrub from the walls, or to look through the broken arches, when a procession of penitents, in their black gowns and long hoods covering every part of them but their eyes, marched slowly into the arena, chanting one of those lugubrious strains which would bring a cloud over the mind anywhere, but which, in the Coliseum, fairly make one shudder. The next day, he showed us a spirited sketch of Galileo before the Inquisition, which he had been obliged to get up in the night to paint, before he could drive out of his mind the painful images which those spectral figures and that gloomy chant had conjured up there. Another time, he had been to see a chariot race upon the Pincian, and as he was describing it, he took out his pencil and drew a profile sketch of one of the drivers, a beautiful girl with outstretched arms and long locks floating on the wind. In the course of the evening, the conversation came round to alchemy, and, by a natural transition, to the old alchemist in

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the "Student of Salamanca." Suddenly the pencil was at work again; and in a few moments, the outstretched arms of the young charioteer were grasping the form of a venerable old man, whom two fiendish wretches were forcing away; and the mere thrill of excitement, which had been the first expression of the lovely countenance, was changed, by a few rapid touches, into a mingling of surprise and terror and agony, which told you at once that that old man was her father.

His conceptions were so vivid that they haunted him like realities; and we shall never forget the commiserating tone with which a very worthy gentleman, wholly guiltless of imagination, asked us, one morning, if poor P—— was not a little cracked. "What makes you think so?" was our Yankee reply. "He was at our rooms last evening, and told us such a wild story of a dream of his, about flying, and how he felt with his wings, clear up in the air, with eagles whizzing by him, and the lightning flashing all around him, giving him glimpses of the earth through the openings which it made in the clouds." Alas, poor P——! The struggle was too hard for him; and before his imagination had been calmed into regular and effective action, he returned home and died of a brain fever. A few years longer, and his grave would have been a spot that young genius would have knelt at as a shrine. Now, the only garland that blooms there is that of private affection.

We are not wandering from our subject, although we may seem to be; for poor P——'s untimely fate was an event which Cole often spoke about with deep sympathy. For him, the difficulty lay in the first stage. Much as he had seen of nature, he had seen but little of art; and it was not the power of arranging his thoughts that he wanted, but the knowledge of a medium through which he could express them. Chance again came to his aid, and this time too, in the shape of a book, a volume on art, which he borrowed from an itinerant portrait-painter of the name of Stein. The great names that he read there were what the names in Plutarch have been for many a young mind; and the details and explanations, all carefully illustrated, showed him at once what he had been

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sighing for so long, without knowing where to look for it, — the means of expressing himself to others as nature expressed herself to him. He saw Stein prepare his colors, and set his palette, and looked on him with a new-found joy as he watched the strokes of his brush gradually covering the dull canvas with the warm glow of life. His course was now clear. He must be an artist; but where should he go for the implements of art? He had worked a little at ornamental painting for a chair-maker, and from him he got some colors. He had always had a happy knack at making little things for himself which rich men buy; and now he made himself something to perform the office of brushes. His canvas was imperfectly prepared, his easel clumsy, and his palette well suited to the colors with which it was set; but what was all this with such hopes before him as that precious volume had opened? Drawing he already had some idea of. He had copied the figures on china vases, drawn from engravings, heads, ruins, and all sorts of things, good and bad; but this was color, the warm, glowing color; — blue, that might be made to imitate the soft sky, into whose depths he loved to gaze; green, that might spread over his canvas the smile that makes earth so bright; and hues of various mixture, which, when his hand should have grown cunning in their use, would shed the golden sunlight over clouds of his own creation, and flow, in transparent meanderings, through scenes of fairy loveliness. We can see him at his work, no longer a task; those thoughtful eyes of bluish gray, that broad forehead, still shaded by soft brown locks, the nose, with its clear outline and expanding nostrils, that corresponded so well to the firm and vigorous mouth, all, even to the pallid cheeks, lighted up with the first thrill of realized hope, while the nervous tremulousness with which he always approached a new pleasure gradually changes, as his thoughts grow clearer and his conceptions more vivid, into a beautiful earnestness, the calm and majestic consciousness of power.

Still many a weary day was to pass before his hand could become the faithful interpreter of his thoughts. The general study of nature had filled his mind with a deep sense of the harmonies of light and shade, woodland and meadow, moun-

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tain and stream, just as an early familiarity with poetry tunes the ear to the natural music of language. But now these things were to be studied in their minute details; the landscape to be broken down into hill and plain, shadowy hollow and sunny slope, stream and meadow, rock, bush, and tree; the tree itself divided into trunk, branch, and leaf, and each leaf carefully examined as a separate element, and each variety of trunk and branch accurately drawn as an independent study, till they could all be combined again, with truth in every individual constituent, and a pervading harmony in all. When the young artist is free to follow his natural bent, unchecked, there are exquisite moments in these minute studies of nature, by which he penetrates, as it were, more deeply into the secret of her manifold beauties, and discovers variety and novelty of form where the untrained eye sees nothing but tame uniformity.

Few, however, of these pleasures fell to the lot of poor Cole. He had found his profession, it is true, and there was a buoyancy and life in the thought; but till he could rise high enough to live for it, he was compelled to put fetters on his imagination and be content to live by it. This he could not do by landscape. Taste for art was not to be looked for in the Ohio of that day. But people loved to see their own faces on canvas; and this harmless vanity, which some of our universal apologists have cited as a proof of our domestic affections, has at least had the merit of giving, now and then, a helping hand to genius.

It was on a clear, cold morning of February, 1822, that Cole, after having tried his hand upon a few heads at home, set out upon his first and last excursion as a portrait-painter. Brushes, colors, clothes, and his inseparable companion, his flute, were all crowded together into a green baize bag, which he slung over his shoulder; and, with some of George Wakefield's confidence in the fortune that awaited him, he turned his steps towards St. Clairsville. His first mishap was a fall through the ice in crossing a stream. But fortunately the current was not rapid enough to draw him under, and, holding his bag over his head with one hand and breaking the ice with the other, he made his way to the bank. Next he found,

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on reaching St. Clairsville, that a German painter had been there before him, and painted half the village. However, a few heads were left, and, after toiling five long days at one of them, a saddler's, he had the satisfaction to hear his work pronounced good by an old man who had once made a journey to Philadelphia, and, therefore, knew all about it. The saddler was delighted, and gave him a new saddle for his pay. A militia officer and a shopkeeper came next; and, by throwing in a fiery battle-piece into the background of the warrior's portrait, he took him so completely on the vulnerable side, that between the two he got a silver watch, with a chain and key, for his labors. The chain and key, like the silver-rimmed spectacles in the "Vicar of Wakefield," turned out to be copper. Last of all, he was called in to retouch one of the pictures of his German rival, a flattering recognition of his superiority, and was rewarded with a pair of shoes and a dollar.

This would hardly do; and away he went to Zanesville. But here, too, the German was beforehand with him, and had already got the landlord of the inn and his whole family upon the canvas. However, a Clairsville acquaintance sat for his portrait, and a few more followed at intervals. He formed a friendship with a young lawyer, an amateur in art, with whom he painted a landscape in partnership, leaving the figures to his friend, as the most experienced of the two. With him he could talk about pictures, take long walks through the woods, and build castles in the air. Still sitters were wanting, his purse empty, and his board bill running on. The landlord, who had promised to take an "historical piece" for his pay, broke his word, and demanded it in cash. But Cole had made friends, if he had not made money; and settling with the publican by their assistance, he shouldered his bag and started for Chilicothe. The third day saw him near the end of his seventy-five miles' walk on the banks of the Scioto. He was tired with his hot walk in the sun, and a little cast down by his want of success. "Here goes poor Tom," he cried, "with only a sixpence in his pocket." It was the first voice he had heard for hours, and the tears started to his eyes. But suddenly checking himself, he sat down on the trunk of a

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tree, drew out his flute, and played himself into hopefulness again with a merry tune.

At Chilicothe, also, trial and disappointment were in store for him. He worked for such as would employ him, struggled manfully and bore up through every thing; but in spite of good will and almost invincible elasticity of hope, his purse was exhausted, his wardrobe shrunk to a single suit, and sadly turning his face homeward, he retraced his steps towards Steubenville, where he found his family on the point of removing to Pittsburg. Some practice with his brush, a new form of his rough experience of life, a few new friends, and a landscape, which showed very clearly where his talent lay, were the only results of this first and last essay of itinerant art.

His family started for Pittsburg, and he remained at Steubenville, in the hope of working off his Zanesville debt by painting the scenes for a "Thespian company" that had recently been formed there. The work was done, but the pay fell short of his expectations. He then began a landscape and two pieces from Scripture, and received orders for a couple of portraits. But one Sunday, two mischievous boys broke into his room, cut up his canvas, mixed all his colors, destroyed his brushes, and left him without any thing to work with, and a positive loss of forty dollars. He then followed his family to Pittsburg, where he helped his father in making floor-cloths, and, what was more to the purpose, set himself seriously to the minute and careful study of nature.

In spite of all the discouragements he had met with, his devotion to art had never been shaken. The longer he worked, the more strongly he became convinced that if he was ever to do any thing in the world, it must be with his pencil. Even at the close of his unsuccessful expedition as a portrait-painter, he had startled his amateur friend at Zanesville, by proposing to him to throw up his law, make art his profession, and go and establish himself with him at Philadelphia, where talent and perseverance could not fail to make themselves a way. His father was strongly opposed to a pursuit which seemed to hold out such faint prospects of

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success, for he had struggled too long with poverty himself, not to dread it for his son. His mother, who saw how completely his happiness was dependent upon his art, felt a secret confidence that such devotion would not go unrewarded, and was willing that he should make the trial. Never did a son strive more earnestly to do his duty towards his parents, and the sequel showed that it was no want of filial reverence that led him to act against his father's will; for the first fruits of his success were devoted to his family, and he always regarded it as one of the greatest privileges of his prosperity, that it gave him the means of providing for his father and mother when they were unable to provide for themselves. But here his path was plain. He had reached the age when men must decide for themselves, and his passion for art was too strong to be resisted. Throwing himself, therefore, once more and decisively upon the world, with but six dollars in his pocket, scanty clothing, and no overcoat but a thin cloth table-cover, which his mother snatched from the table and threw over his shoulders as he was leaving, he bade a final adieu to the West, and, after a tedious journey on foot, during which he suffered almost every thing from cold, poverty, and coarse company, he reached Philadelphia in November, 1823.

Shall we attempt to describe the sufferings of that winter? tell how a loaf of bread and a pitcher of water were his food and drink; how he slept at night on a bare floor, with no covering but the clothes he had worn through the day, and the table-cover which had served him as a cloak during his journey; how, with nothing for furniture but the indispensable implements of his profession, he toiled, day after day, in a little garret room, warming himself by thrusting his legs through the oven of a half-heated stove, or running up and down a narrow alley and threshing his benumbed hands, till the blood began to move again; how he bore all this till rheumatism seized him in its most painful form, leaving him penniless and helpless; and yet that he ceased not to hope, and clung firmly to his art, and struggling resolutely through it all with unwavering faith, studied and worked, and at last became known?

His works were small landscapes and bar-room scenes,

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recollections, perhaps, many of them, of painful parts of his own experience, but which readily found a place in barbers' shops and oyster-cellars. After a while, too, he got regular employment as an ornamental painter, and decorated bellows and brushes, and Japan ware, with figures and birds and flowers, sighing now and then, as he bent over his task, but trusting still that the better days would come. Once he was called to paint a portrait from a corpse, and after toiling several days, was compelled to go to law for his pay. Spring, summer, and autumn came, but brought no sweet hours of repose in the forest shade, or on the cool banks of mountain streams; but he would wander through the squares at evening, when his work was done, and study the trees. And with that overflowing love of nature, which neither toil nor penury could chill, he marked them all out as individual objects of affection, to which his feelings clung the more closely, as there was little else around him to call them forth. There was another bright side, too, — the hours he passed at the Academy, drawing from the casts, and studying the landscapes, which seemed to him full of an unattainable beauty; and the occasional composition of pieces in which he could indulge his memory and give a freer play to his imagination.

In this way, he struggled on till April of 1825, growing rapidly as an artist, but failing to find the encouragement he had hoped. Meanwhile, his family had removed to New York, and were anxious to have him with them. Just as he was upon the point of leaving, his sister Sarah came to Philadelphia with her husband, on her way to join her father and mother. A day was given up to her, and wandering arm in arm, as of old, they went over all his favorite walks. "Now, tell me," said he, as they were passing through one of the squares, "which of all these trees I love the best." They had passed too many hours together in the fields and woods, to leave her in doubt, and the anecdote is well worthy of record in a life devoted to the unwearied study of nature.

In New York, his long hopes began to be realized. His father was living in Greenwich street, and in a narrow garret room, feebly lighted by a dormer-window, he set himself to his work. His first pieces were five landscape compositions, which

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an acquaintance, a Mr. Dixey, allowed him to put in his shop window for exhibition. They brought him but forty dollars in money, but procured him the friendship of Mr. George Buren, who, with a happy appreciation of the young artist's talent which ought never to be forgotten, gave him the means of resuming his studies from nature amid the rich scenery of the Hudson. The first fruits of this study were a view of Fort Putnam, the "Lake with dead Trees," and the "Falls of the Caterskill." Trumbull saw them, purchased the "Falls," and hung it up in his own studio. The same day, meeting Dunlap, he called his attention to this new-born genius; and then finding Cole himself, invited him to his studio, and asked Durand to come and see the picture and the artist. "Young man," said the veteran to the shrinking youth, "you surprise me, at your age, to paint like this. You have already done what, with all my years and experience, I am unable to do." The ordeal was passed; public attention was awakened; commissions came pouring in. His fame, to borrow Durand's spirited expression, spread like wildfire; and Americans, still exulting in the first interpretation of their native scenery by Irving, and Cooper, and Bryant, hailed with enthusiasm this new consecration of its "visible forms" by one who had looked upon them with the artist's eye and the heart of a poet.

The next four years were years of great exertion, attended, for the most part, with a happiness that was new to him, the happiness of acknowledged success. He could go about, and mingle among men with the elastic consciousness that he was appreciated and understood. He could go to his work with the invigorating certainty that the canvas, over which he had bent with conscientious assiduity, would neither be left to warp and fade in the smoke of a bar-room, or be hawked about in oyster-cellars and show-shops, scarcely leaving him the means of paying for his garret and his loaf. He could look back upon the past, even the bitterest of it, with a smile, and feel that the strength which had overcome such obstacles would be more than sufficient for any trial that might yet be in store.

His home was New York, but he quickly fixed his affec-

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tions upon Catskill, where the combination of mountain, valley, and river afforded an exhaustless field for his pencil and the lonely musings, which formed a part of his study of nature. He travelled, too, extensively, and almost always more or less on foot, — true artistic exploring expeditions, with knapsack and sketch-book, carrying him over a wide range of scenery, and storing his portfolio with elaborate studies of the peculiar characteristics of American landscape. His pen was equally busy. Blank leaves of his sketch-book were filled up with descriptions of scenery and records of the day's adventures. The love of poetry seemed to grow in him with his progress in art, and he wrote as he painted, in obedience to an irresistible impulse. Some of his compositions are long poems, others brief effusions, thrown off under the action of a strong feeling, but all equally the expression of pure thoughts, noble aspirations, and exquisite sensibility.

At first, he seemed disposed to confine himself, in his paintings, almost exclusively to uncultivated nature. His landscapes, whether gentle or grand, are scenes into which civilization has never penetrated; and if human life appears in them in any form, it is in that of nature's own child, the untamed Indian. You cannot help feeling that he would have been an excellent friend for Leatherstocking, so deeply are his pictures imbued with the same spirit which inspired some of Cooper's finest pages. These were the works which made him immediately popular. They were not only full of truth and beauty, but they were perfectly intelligible; and few amongst us looked for any thing in art, beyond the quiet pleasure which arises from the accurate representation of familiar things.

With him, however, this was not enough. It was not merely an agreeable sensation that he asked from nature, but invigorating thought. When he had painted things for a while as they are, he came to ask himself how they might be: why the crag, that he had found in one spot, might not be combined with the torrent or lake that he had seen in another; and why, by these combinations, natural objects might not be made to speak a language as intelligible as any other form of poetry. It was with this feeling, though per-

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haps not yet fully developed even in his own mind, that he painted the "Garden of Eden," and the "Expulsion;" — imperfect expressions of his conception, but beautiful harbingers of what he was soon to do.

A natural consequence of this progress was a strong desire to see and study the great schools of European art; for his mind was too philosophical, and his range of thought too extensive, to allow him to cherish the silly delusion that, in a world like ours, in which the present is but a link between the past and the future, the man who wilfully neglects what has been done by others, can ever hope to accomplish any thing of permanent value himself. At first, he had counted upon the sale of his two new pictures for the means of passing a year or two in Europe. But in this he was disappointed; for, although he had bestowed great labor upon them, the style was too new to please immediately. It was a serious disappointment; but a friend, whom he had made by his pencil, came to his aid, in a manner equally honorable to them both. This generous man, whose name we place on record for the important services which, by his judicious patronage, he rendered to American art at a critical period of its development, was Robert Gilmor, of Baltimore, to whom we owe one of Greenough's earliest productions, the beautiful figure of Medora. The spring of '29 was one of great excitement for Cole. "I am living in anticipation," he says, in a letter to Mr. Gilmor, "but my anticipations are not all pleasing; for, in going to study the great works of art, I feel like one who is going to his first battle, and knows neither his strength nor his weakness." And then, suddenly checking himself, with that modesty which never forsook him, he adds: "Perhaps I betray some vanity in what I have just said; for I am not going to fight, but to learn to fight."

Before he started, he painted a picture to take with him, "Hagar in the Wilderness," which, at the moment, he hoped would prove his "best effort," though he afterwards became dissatisfied, and painted another picture over it. He went to Niagara, too, as if to take one more full draught from the fresh fountain of nature, before he seated himself at the feet of the great masters of art. And then, on the first of June, he set sail

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for London. Feelings strangely mingled must have crowded into his mind as he sailed down the bay, and gave a farewell glance at the scenes which had taken so strong a hold upon his affections. The land that he was leaving had become dearer to him than the land of his birth. Ten years ago, he had come to it a stranger, poor, friendless, and unknown. And now he was leaving behind him warm friends and a brilliant name of his own making; while the prospect before him was filled with every thing that could gratify his taste or flatter his ambition. Bryant's beautiful sonnet is a faithful expression of the feelings of his friends, and the best record of the place that Cole had taken among those whose praise is immortality.

In England he passed nearly two years, studying in his own way, not by copying, but by carefully examining the works of the best masters, and trying rather to catch their spirit than to imitate their manner. Claude and Gaspar Poussin delighted him. He admired many things in Turner; but the English school of art seemed to him false and unnatural, a striving after brilliant effects, instead of a careful study of nature. "They have a mania," says he, "for what *they* call generalizing, which is nothing more nor less than the idle art of making a little study go a great way." The scenery he enjoyed and studied carefully; but with the exception of Lawrence, who received him kindly, though he died shortly after Cole's arrival, and Rogers, to whom he had been introduced by Cooper, he found but little sympathy, either among artists or their patrons. At the exhibitions, his pictures were hung in the worst places, and the labor of weeks thrust into some obscure corner to make room for some meretricious thing that has long been forgotten.

In Paris, he unfortunately found the old pictures covered up by the modern exhibition. But his quick eye readily detected the noble compositions of Scheffer, amid the crowd of "Battles, Venuses, and Psyches," the bloody and the voluptuous, which annually fill the spacious halls of the Louvre.

Then came Italy. As he glided down the Rhone, on his way thither, he remembered the Hudson; and gazing thoughtfully at the remnants of feudal days that lie scattered along

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the banks of the lovely stream, saw visions of the past which sank deep into his memory, to revive again in some of the loveliest of his pictures. His journals and letters contain beautiful records of the feelings with which he first looked on the Mediterranean, sailed along the majestic coast of Liguria, made himself a home in Florence, studied under the Cyclopean walls of Volterra, looked out upon Rome from the room in which Claude had painted, drank to the full from the rich scenery of Naples, and then, returning again to Florence, threw off picture after picture with a sureness of touch and a fulness of feeling, which made him exclaim, when he looked back upon it in after years, "I was in the spirit of it. Oh, that I were there again, and in the same spirit!"

The winter of '32–3 found him at home again, with his pictures ranged around him in his exhibition rooms, at the corner of Wall street and Broadway, noble records of the last three years. And we have named the spot, for it was there that he formed the acquaintance of Luman Reed, the most liberal and intelligent among the patrons of American art, one of the few who feel how honorable it is to give genius the opportunity of working out its own conceptions, and that wealth is never so well employed as when it opens new sources of permanent enjoyment. A commission for an Italian scene was the first result of this acquaintance, which, quickly ripening into the free communion of friendship, afforded Cole the opportunity, he had long desired, of expressing his views of the power and office of art to one capable of appreciating them. It is to this circumstance that we owe the "Course of Empire," a subject which he had conceived several years before, but with little hope of ever being able to paint it. The feelings with which he approached this great work, the conscientiousness with which he labored upon it, the doubts and hopes and difficulties, the fluctuations of spirits, and yet the unwavering faith with which he brought it to its termination, and with it all, his deep grief when he was called to follow his generous friend to the grave, before he could prove how well he had deserved the confidence that had been placed in him,— are beautifully portrayed in his letters and journal. The brief entry of October 29, 1836, is so characteristic that we

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will venture to extract it: "I have just returned from the city, where I have been with the series of pictures painted for Mr. Reed. When I took them, I was fearful they would disappoint the expectations of my friends. I have been greatly surprised, for they seem to give universal pleasure."

The place to which he "returned" was Catskill, which, from a summer retreat, had become almost a permanent residence. Hither he hastened with the first buds of spring, and here he lingered till the mountain tops were white with the first snows of winter. He could not bear the city when the fields were green, or the forests clad in those wonderful autumn hues which he had painted so beautifully; and he would as soon have thought of going without his daily food as of living the year round where he could not see the sun rise and set. Soon, too, Catskill acquired another claim upon him, the strongest of all claims for a heart pure, tender, and confiding like his. A name that occurs once or twice in his journal, and an occasional allusion, are the only traces of the new feeling which had come to mingle its happy influences with his love of nature and art. But on the 22d of November, 1836, while his heart was yet glowing with the success of his "Course of Empire," he was married to Maria Barton, and, for the first time in his life, had a home of his own.

The time now passed swiftly and happily. He painted, wrote, made from time to time long excursions to study some new scene, came occasionally to town to exhibit a picture, or pass a while within reach of his friends, Bryant, Durand, Huntington, Ver Bryck, and then returned again with renewed vigor to his quiet home and beloved mountains. In a few months, he was at work upon one of his noblest pieces, "The Departure and the Return." "The Past and the Present" soon followed; landscapes of various kinds filled up the busy interval, and then came the "Voyage of Life."

It is not our intention to follow out the order and origin of his numerous works, and still less to enter into a critical examination of them. Mr. Noble's fervid volume, and Bryant's inimitable funeral oration, contain all that can be asked in description and general criticism. Therefore, passing by many things which would naturally come into a fuller view, we

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find him, in 1841, preparing for a second visit to Europe. Hard work, and still more, the necessity of adapting himself to the spirit of the times, and painting little pictures in order to live, when his mind was teeming with great compositions, had broken his health. Few think what a wasting power this longing for better things has, and how the mind, constrained to live in an atmosphere which is not its own, exhausts its strength in little efforts, loses the relish of present enjoyment because it sees nothing to cling to in the future, strives, struggles, resists, escaping now and then to its own world, to shudder and shrink as the cold reality comes and forces it back again to its dungeon, and dragging on through life, wearied and disheartened by the bitter consciousness that it has the power of doing great things which it will never be permitted to do.

And men look on and laugh at the impractical spirit which would pretend to mould things according to its own views. 'The more fool he! If he can't do one thing, let him do another. It is the law of life, which he cannot hope to change, and the sooner he makes up his mind to accept it, the better. If not, why, let him pine and die, too, if he choose; the world will be none the worse off for it.'

Perhaps not. And yet, would we not like to see what Chatterton might have done for us with a mind at ease? Tens of thousands have owed some of their happiest moments to the "Vicar of Wakefield." Would the sum of human enjoyment have gained nothing, if Goldsmith had been allowed to write another? Dryden wrote plays, to adapt himself to the times, and Burns was set to gauge beer as a reward for his poetry, and Arnold exhausted upon a school the energies that might have given us a perfect history of Rome. The spirit of the times is a big word, and men love to use it, sometimes as a pretext, and sometimes as an apology. But there are evil spirits that walk the earth, as well as good ones; and none among them more evil and more accursed than those which wantonly deride the earnest mind, and rob the world of things which would have made it happier and better.

Cole's health and spirits, as we have already said, were

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drooping under these evil influences, and he resolved to try the effect of another visit to Europe. Elasticity of mind returned with change of scene. He enjoyed the ruins and feudal relics of England better than he had ever enjoyed them before. When he found himself once more in the Louvre, no longer with the modern exhibition, but with the masterpieces of the best ages of art around him, he "felt more of an artist than he had done for years." In his first visit, he had not seen Switzerland; but now, though the season was far advanced, he gave a glance at Lake Neufchâtel, the Bernese Alps, the Jura, and Geneva: then retraced his former route down the Rhone, staying long enough at Avignon to make a careful study of Vaucluse, and hurried rapidly onward to Rome.

There were still some old friends to welcome him back, Gibson and Wyatt; but the American circle, a very small one on his first visit, had now become an important element in the resources of a Roman winter. Crawford was just finishing off the Orpheus in marble; Terry had been working for months on his first large composition, "Christ disputing with the Doctors"; Rossiter had come with Cole himself; every week brought tidings of what Greenough, and Powers, and poor Clevenger, were doing in Florence; and students from every part of the country, all diligently studying in the life-academies and galleries, showed what rapid progress the love of art had made amongst us during the last ten years. There were social circles, too; winter visitors and permanent residents, with whom, apart from his high reputation, (and in Rome, as we have already said on another occasion, it is the great artist that is the great man,) his pleasing address and instructive conversation always made him a welcome guest.

Unwilling to lose an hour in a spot where every hour was so precious, he immediately sought out for himself a quiet little studio in the Babuino, with a bedroom on the same stairway, and went to work. Vaucluse was still fresh in his mind, and, with the studies he had made on the spot before him, he painted it on large canvas, with great force and truth. He felt a pleasure in painting Petrarch's hermitage in the city which had called forth some of his noblest strains. Then he returned to the "Voyage of Life," which he painted over

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again, partly from memory, and partly from the sketches he had brought with him. These, with a small landscape, an Autumn scene, from some spot, if we remember right, near Catskill, were the finished works of the winter. But many hours were given to the Vatican and Capitol, to the rich landscapes of the Doria, to careful studies of Rome from St. Onofrio and the Pincian, sketches of the Campagna, with its ruined aqueducts, and towers, and tombs, and temples, and the glorious mountains in whose shadow it sleeps; to the grand old ilices of Villa Borghese, which the pencil will never draw again, and the pines of Doria Pamfili, and all those wonderful combinations of art and nature which lie so thick around you, at every step you take in Rome. His mind was always full, and his imagination always on the wing. It was delightful to sit by him and see him paint, for his thoughts never seemed to flow more freely, or clothe themselves in happier language. It was a pleasure, too, to visit the ruins with him; for though not a classical scholar, he had read much and carefully, and there were few whose minds those records of joys and sorrows that had passed away, stirred more deeply. Never shall we forget the tremulous tones of his voice as we followed our guide through the catacombs by the dim light of tapers, or the expression of his countenance when we emerged from those silent chambers, and caught the first glimpse of the bright blue sky, and the soft outline of the Alban mount sleeping sweetly in its purple veil. But the greatest pleasure of all was to walk with him at sunset, and through the long twilight, till the stars came forth and the moon rose. Then would all the fervor and earnestness of his mind awaken, and his beautiful fancy sport with exhaustless fertility. How happily would he trace the analogies of the moral and physical world! What delicate similes would he find in the objects that lay before us, for feelings and thoughts within, and with what an exquisite perception would he point out every change in the clouds, and on the mountain tops, and over the vast city, as the waning light slowly faded from them! It was on these occasions, too, that he loved best to talk of his art, and the pictures that he would paint if he could but follow it according to his own conception of its office.

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One of those evenings we shall never forget. About a mile and a half beyond Porta Pia, there is a little bridge over the road, the old Nomentian road, which leads to the "sacred mountain," and skirts the line by which Hannibal rode up to the walls on that fearful day, when, for the first time in long years, the Romans looked down from their bulwarks on an enemy's camp. A low parapet protects the sides of the bridge; and on this parapet we took our seats, as the sun, just sinking behind the Vatican, was shedding his last rays on the mountain tops. On our left lay the Nomentian bridge, with its old arch and tower built up again from the devastation of Totila, and just beyond it, the low brow of the "sacred mountain," rising gently from the desolate bank of the Anio, to lose itself in the peculiar break and swell of the Campagna; and beyond it, the stern barrier of the Sabine mountains, swelling peak above peak, and mingling far off with the snow-capped Apennine. Before us lay the Campagna, with the Anio rushing rapidly, with many a bend and curve, between its narrow banks; Tivoli gleaming out from its olive orchards; and Palestrina just beyond, where young Marius took refuge when Sylla came back to avenge himself on his enemies, and Horace sat him down to read Homer in the shades that he loved; and still a little further on, and with a yet larger interval of Campagna between, the Alban mount, with broad forests growing out from its volcanic masses, and lakes rising up from the depths of its silent craters, and Palazzola stretching brightly along its slope, and Monte Cavi looking down as proudly from its wooded cone as when the cities of the Latins assembled in its shade, and Roman generals rode up over its triumphal way to sacrifice upon the altar of Jupiter. The city lay on our right, a few towers alone visible, mingling with the arches of the Claudian aqueduct.

We sat and watched the lingering light. We saw the shadows stealing up from the valley, and the last sunbeams meekly fading into twilight. We saw that second glow which bursts forth when the sun is gone, the last look of expiring day at the scenes which it has gladdened by its smile, swathing the mountain sides in golden floods, and playing along their rugged crests like lightning on the torn edges of a cloud.

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Then this, too, passed away, and through the mountain gap above Tivoli came a soft and silvery light, gradually rising higher upon the horizon, and spreading wider and wider, till the full moon came forth unveiled, and poured down her beams so gently on all that magic scene, that the rough mountain sides looked soft and winning, and the dank vapors, that floated cloud-like far and wide over the Campagna, seemed islands of silvery light.

We spoke of the past; of the thousands who had come from distant places to look upon that scene; of the mysterious decree which had crowded so large a portion of the world's destinies within that narrow circle. We summoned the plebeians of old to people once more the deserted hill on which they had called into life the second element of Roman greatness. We pitched the tent of the Carthaginian on the banks of the Anio, and watched the beams that fell on the gray mounds that once were the Tusculum of Cicero. And as we asked ourselves why all this had been, and why it had been so, and not otherwise, Cole's thoughts went back to his "Course of Empire," and the thought from which it had sprung, and how he had hoped to make landscape speak to the heart by the pencil, as it was speaking to us, there, of the great questions of life. He spoke, too, of the great works which he had planned, in which nature was to tell a story of vaster import than the rise and fall of human power — the triumph of Christ. And as he spoke, his heart seemed to glow with the conception, and his imagination called up wonderful forms, and his words flowed fast and with burning eloquence, for it was a thought which had long been dear to him. He had clung to it through disappointment and depression. When compelled to force himself down to little tasks for his daily bread, it had still been with him a burning aspiration and a strengthening hope; and a few years later, when he laid down his pencil for the last time, the third picture of that wonderful series stood yet unfinished on his easel.

When we returned home, he asked for a copy of Bryant, and read the "Thanatopsis," and the "Hymn to the North Star," and as his mind grew calmer under the influence, his thoughts turned homewards to gentler and familiar scenes,

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and he went on with the "Rivulet," and "Green River," and others of those exquisite pieces, which reflect the sweet aspect of nature so truthfully, that their melody steals into the heart with the balmy freshness of nature's own soothings.

Cole remained in Rome till April. When he had nearly finished the "Voyage of Life," Terry lent him his studio in the "Orto di Napoli," to exhibit it in, and Thorwaldsen came there to see it. It was afterwards exhibited at the annual exhibition in the "Piazza del Popolo," and produced a strong impression. Then, leaving his pictures behind him, he went to Naples and Sicily, ascended Mount Etna, visited Syracuse and Agrigentum, and nearly all the celebrated spots on the island, and came back to us with his imagination all on fire with the wonderful things he had seen. We wish that our space would allow us to describe his last day in Rome, as he sat down with his sketch-book, on a sweet afternoon of full blown spring, to make one more study of the Campagna. But we have already overrun our limits, and must hasten to a close. Leaving it, therefore, to the reader's imagination to follow him on his journey northward, including a fuller tour of Switzerland, and a sail down the Rhine, we find him, in August, at Catskill, and once more at his work.

His first pictures were immediate fruits of his tour. Mount Etna, Temples at Agrigentum, Tor di Schiavi, the Campagna, and other scenes which he had studied carefully on the spot with the intention of painting them, or which had made a deep impression upon his memory. In the winter of '44, he collected as many of his pictures as he could obtain the use of, and exhibited them together, in the old gallery of the "Academy of Design" at Clinton Hall; and not being able to have the "Course of Empire," he painted in a week a large view of Etna from Tavernina, "a miracle," says Bryant, "of rapid and powerful execution." In the spring, his affections met a heavy blow in the death of Ver Bryck. "Where shall I turn," says he in his journal, "for the companionship of so congenial a mind?"

Busy as his pencil was, his mind was still busier. "I have been dwelling on many subjects," he writes in '44, "and looking forward to the time when I can embody them on canvas.

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They are subjects of a moral and religious nature. On such I think it is the duty of the artist to employ his abilities." Sowing and Reaping, in four pictures, and Life, Death, and Immortality, in three, were among them. But instead of these, he was compelled to confine himself to small pieces, views of Italian and American scenery, exquisite in themselves, and striking examples of facility of execution, and truth to nature, but not the subjects he was longing to paint. "Circumstances," he writes, in the summer of '46, "circumstances have waylaid and robbed me of much precious time."

At last, he resolved to break through his trammels, paint the first of his great series, and trust to heaven for the result. He built himself a new studio, looking upon his favorite view of the Catskills, and there he "promised himself much enjoyment, and great success in the prosecution of his art." There is something very touching in the first mention of it in his journal: "I ought ever to bear in mind that the night cometh when no man can work." And the night was near. But one more year was given him, a busy, checkered year, with his mind in the full vigor of its maturity; and what precious results it gave! — the finished portion of the "Cross and the World," "Prometheus bound," "Proserpine gathering flowers in the fields of Enna," several smaller scenes, and among them, the most perfect of his minor pieces, "The Lord is my Shepherd."

He had overworked himself with the "Cross and the World," and was trying to get a little rest by painting upon the "Proserpine." It was Saturday, the 5th of February. He worked till his usual hour, giving the finishing touches to an Italian pine, one of those trees that he had studied so often from the Pincian at sunset; and then, looking cheerfully forward to the morrow, for Sunday with him was truly a day of rest, he cleaned off his palette and closed his studio for the last time. That Sunday was communion day. In the night he was taken violently ill. The disease soon proved to be an inflammation of the lungs. Its progress was so rapid that, on the third day, he became convinced that it would be fatal, and began calmly to make his preparations for death. On Friday evening he felt that the moment was near, and

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asked earnestly for the communion. When the service was over, he sank back upon his pillow, saying — "I want to be quiet." These were his last words. At eight o'clock he expired, aged forty-seven years and a few days.

The sad tidings spread rapidly, everywhere calling forth the deepest regret. In Catskill, on the day of his funeral, the shops were shut, the whole community uniting with one accord in the only testimony they could now give of their admiration and love. At New York, the "National Academy of Design" requested Bryant, one of the most intimate and cherished of his friends, to pronounce his eulogy; and Bryant wrote a funeral oration which will ever remain as a beautiful expression of deep and earnest feeling, combined with exquisite description, judicious criticism, and the happiest appreciation of character. As speedily, too, as it could be done, his paintings were collected and exhibited together in the rooms of the "Art Union." There were many of his earlier pieces; there, with few exceptions, were his maturer productions; there, too, was seen, for the first time, the "Cross and the World," three finished pictures and two sketches, sad but precious records of his last year; and, in the midst of them all, his own portrait, by the hand of a friend, looking down, as it were, upon these fruits of an earnest life, with a serene and gentle thoughtfulness that called forth many a tear.

As an artist, Cole's endowments were of the highest order: a vigorous and fertile imagination, a rich and lively fancy, an intuitive perception of beauty in all its various manifestations, a reverential love of truth, which made the assiduous study of nature an exhaustless source of delight, a fine eye for color, a singular felicity of combination, and that power of distinct and forcible conception, which enables the great artist to produce the greatest results by simple means. Art, for him, was a shrine at which he knelt devoutly, and in singleness and purity of heart, holding it as the highest of privileges that he was permitted to consecrate himself to the service of God and his fellow-men, through one of the purest mediums of usefulness. The time has not yet come for him to take the stand which really belongs to him. Art, with us, is as yet too much a thing of transient amusement, aiming at little things, and

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narrowed down to suit the size of our drawing-rooms and the vanity of our purse-holders. But the time will come when every true lover of nature will go to Cole as one of her most favored interpreters, blessing him for the deeper insight which he has given to her beauties, the sweet thoughts which he has mingled for us with morn, and noon, and his own favorite hour of sunset, and the calm of field and forest and gentle stream, which he has brought into our homes, even amid the dust and din of the city.

As a writer, there is enough in the volume before us to show that his merit was great, and that the turn of thought and expression which characterize his written pieces, are, as might naturally have been expected, of the same cast with those of his paintings. Some of the descriptions in his journals and letters have much of the vigor and truthfulness of his landscapes; and many of the poems are full of that earnestness and purity of feeling which led him to look upon natural objects with such responsive tenderness. The lines on the death of his mother, and to his son Theodore, on his birth-day, are exceedingly beautiful. But it is only as specimens that we look upon the pieces which Mr. Noble has interwoven so judiciously with his own narrative. We trust that for the honor of our literature, and the sake of sound and healthy views of art, a more copious collection will soon be given us from the abundant materials that remain.

As a man, Cole was one of the gentlest, kindest, most amiable of beings; — a companion whose society never fatigued, a friend who never grew weary in good offices, full of kindly sympathies and cheering words at the right time, playful with you in your mirth, rejoicing with you in your joy, tender and soothing in your sorrows, gentle and affectionate always. He had the purest mind we ever knew, — intuitively, habitually pure, — such as we would always wish to find in one so exquisitely sensitive to the beautiful, and living in constant companionship with nature. The peculiar charm of his manner lay in its simplicity and heartiness. He would meet you with a "good morning" that quickened the blood in your veins. His laugh was one of those clear, cheerful ones that come with the freshness of a bird's song in spring.

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He had as quick an eye for the ludicrous as for the beautiful, and would tell a humorous story with a kind of contagious merriment that was irresistible. And yet his feelings were singularly subject to external influences, particularly the influences of the weather, which seemed to act upon him as directly as it does upon a harp-string. The clouds seemed, at times, to shut out the sunlight from his soul as completely as they do from the landscape. The sight of the cold, naked earth in winter chilled and disheartened him, and he would long for the snow to come and hide it, till it was time for it to put on its green again.

His earnestness was the earnestness of the heart, extending to all things. He looked upon the whole circle of his duties in the same serious light, keenly alive to all the responsibilities of citizen, husband, father, child and friend. It was this earnestness, acting upon a highly poetical temperament, which led him to form such elevated conceptions of the office of his art. He could not believe that beautiful things were spread around us so lavishly merely to give a transient pleasure; but rather as instruments of moral culture, and elements to be woven, by the skilful hand, into emblems and illustrations of holy truths.

Religion seemed a natural growth of his mind, like a seed falling into a genial soil and springing up under kindly skies. His whole nature was imbued with it. The spirit of devotion pervaded all his thoughts and actions. It was with a feeling of devotion that he looked upon the physical world and listened meekly to its teachings. It was for this that he loved to wander among the mountains, and yield up his spirit to the solemn influences that rise from them like anthems. It was for this, too, that he sought out the remote valleys and found a sabbath promise in their repose. And it was with this glow of fervent love that he studied all the phenomena of nature, thanking God for their beauty, and drawing freshness and strength from his gratitude.

It is delightful to contemplate such a character, and dwell upon such virtues. We would gladly speak of them still, and tell, too, of other qualities: — his love of poetry, his sure taste in general literature, how well he had read some parts of history, how profoundly he reasoned upon the laws of

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the beautiful and the principles of art, his general thirst for knowledge, and his cordial recognition of merit. How many instances of goodness crowd upon our memory, how many excellencies which ought not to be forgotten!

Five years have passed since he rested from his labors, and the places that he left desolate are desolate still. Where shall we find the artist that shall bring the same pure and earnest heart to the service of the beautiful and the true? Where the genial companion, who shall fill up the intervals of labor with discourse so sweetly tempered to every mood, or rouse the flagging spirit by such gentle admonitions? How shall we revive the hopes which faded when he ceased to cheer them, or find again that charm in nature or in art which they were to our eyes when he was here to point out their beauties, and participate in our enjoyment? Five years; and death no longer sounds strangely as associated with his name; but the cloud which came over us with the first utterance of that fatal word can never pass away.

ART. III. — *The History of New England from* 1630 *to* 1649. By JOHN WINTHROP, ESQ., *first Governor of the Colony of the Massachusetts Bay. From his Original Manuscripts. With Notes to illustrate the Civil and Ecclesiastical Concerns, the Geography, Settlement, and Institutions of the Country, and the Lives and Manners of the Principal Planters.* By JAMES SAVAGE, President of the Massachusetts Historical Society. A New Edition, with Additions and Corrections by the Former Editor. Boston: Little, Brown & Co. 1853. 2 vols. 8vo.

WE reviewed the first edition of this excellent work a little over a quarter of a century ago. It passed but slowly from the publishers' hands; for the antiquarian and bibliographical taste, which has since contributed so largely to the elucidation of the early history of America, was then only in its infancy. But after being six years out of print, it has at last

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reached the honors of a second edition; and the learned editor has improved the opportunity to revise and enlarge the notes and other illustrative matter which added so much to the value of the former publication. His annotations are strongly marked by the characteristic traits of the antiquary and the genealogist. Mr. Savage is sure to tell us all that can be learned of the personal history and the descendants of every individual who is mentioned in the text, so that the work is almost a complete biographical dictionary of the fathers of Massachusetts. The orthography of every proper name, the date of every event, and the authenticity of every record which he has occasion to notice, have been scrutinized by him with that conscientious and loving regard for exactness which makes the toil of investigation a pleasure, and regards the answer to any query or the determination of any doubt respecting the annals of our forefathers as the all-sufficient reward for the labor of a lifetime. At the same time, the scholarly taste of the editor has placed an effectual check upon the garrulity and fondness for minute details which are an antiquary's easily besetting sins. The notes are not distended with laborious trifling, but are written with conciseness and spirit, though perhaps with a slight trace of egotism, which no reader will complain of, as it is spiced with a dry and quaint humor that is worthy of Jonathan Oldbuck himself. The best proof that a student's heart is in his work is when he begins to play with it, and to jest at his own fondness for the task.

The Journal or Diary of John Winthrop, the first Governor of Massachusetts, extending from 1630 to 1649, and comprising a full record of every circumstance of note in the history of the Colony during the intervening time, is a work well worthy of all the pains that have been bestowed upon deciphering and annotating it. It was probably intended by the writer for publication, though not till after his own death. Circumstances caused it to remain in manuscript, however, for about a century and a half; though the earlier historical writers of the Colony, such as Hubbard, Mather, and Prince, had access to it, and made liberal use of its contents. One reason, perhaps, why its publication was so long delayed, may

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be found in the character of the chirography; "the celebrated philologist," says Mr. Savage, "*who triumphed over the difficulties* of derivation in our etymology from Danish, Russian, Irish, Welsh, German, High or Low, Sanscrit, Persian, or Chaldee fountains, might, after exhausting his patience, have reputably shrunk from encounter with the manuscript of Winthrop." Hubbard, Mather, and others, who consulted the Journal, had this excuse, that it was nearly illegible, for not making a more faithful use of it; for they abridged some passages from it very awkwardly, and made several statements which are contradicted by the true reading of the text. The first edition in print, moreover, which appeared about the close of the last century, and comprised only two out of the three volumes of the original, abounded with errors arising from the same cause; the real import of several sentences on almost every page was so obscured or perverted by conjectural readings as to mar, essentially, the value of the work as a historical record. Mr. Savage grappled with a herculean task, therefore, when he undertook to restore the true sense of the original throughout. Having completed an accurate transcript of the third volume, also, he laid it away so carefully that he could not find it again, and thus had "the gratification of making a new one," which required more than three months of additional labor. His very numerous emendations of the former printed text commend themselves as obviously to the reader's judgment as do most of the various readings which Mr. Collier has furnished to Shakspeare's plays from his interlined copy of the folio of 1632. They are the result of three careful collations of Winthrop's autograph in different years. Many such blunders, as *sanctification* for "satisfaction," *our measures* for "the ministry," *offering* for "affection," *never* for "nearer," *promp* young man for "proper young man," and hundreds of others, are enough to make nonsense of any document; and when we find that the new reading substitutes clearness for obscurity, and takes away obvious contradictions and incongruities from the text, we need no external proof of its correctness. Those who seek further evidence, however, may accept the implied challenge of the editor, when he says, "the venerable authorities will

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remain in the archives of the Historical Society for my correction by any one who doubts of the correctness of a single passage." For our own part, after considerable experience in the business of deciphering difficult chirography, we prefer to let Winthrop's autograph alone, and to take Mr. Savage's readings upon trust, or without any other corroboration than their internal evidence.

After all that has been written about the purposes and acts of the Puritan fathers of New England, — and they have been the subjects of many a sharp and protracted controversy, — we cannot know them fully, or estimate them aright, except after a careful study of their own journals and other writings. They have been exposed to much indiscriminate eulogy and unfounded blame, on account of a few marked passages in their history, and some few traits in their characters, which alone have attracted notice and discussion, while the remainder of the picture has been left in the shade. We need to know them thoroughly, or we cannot understand them at all; the whole must be seen, before a correct judgment can be formed of any part. Winthrop's Journal is the fullest and most authentic record that we possess of their motives and proceedings. It is in the form of a diary, and it is written by the leader of the little commonwealth, who did more than any other to shape its character and determine its fortunes. The writer, unconsciously, sketches his own character, while he seeks only to chronicle, with fulness and impartiality, the principal events in the history of the Colony. Never was a private journal more free from egotism, or more unstained by prejudice. The grave and modest demeanor of the writer, his uprightness and piety, his resignation under great misfortunes and trials, his unswerving purpose, his statesmanlike views, and his constant devotion to the interests of the infant state and to the service of God, appear all the more fully from his determination to say nothing about them. Compare his diary with that of Pepys, for instance, or of Archbishop Laud, and he rises immeasurably in our estimation. There was no littleness in his character; we are sure that he had nothing to conceal, and that the frankest portraiture of him is not only the best, but the one which

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redounds most to his honor. He had, it is true, many of the faults of his age, and of the remarkable class of men to which he belonged; though he was far above them in prudence and sagacity, in disinterestedness, and a gentleness of spirit that often corrected the errors and severities of his doctrines. He was obliged to speak of many public controversies, and of some personal disputes; but there is no bitterness in his record of them, no undue exaltation in success, and no grumbling when he was worsted. He evidently designed his Journal to be a plain record of facts, not of enmities, or prejudices, or one-sided statements. We cannot but sympathize with him in his obvious purpose to be impartial, and we rely on what he says of others with as full a confidence as on what he relates of himself.

The opinion is a very common, but a very mistaken one, that the first settlers of New England, though they were men of great purity of purpose, were still narrow-minded and fanatical, — a set of enthusiasts, whose only notions of government and civil polity were drawn from the Old Testament, and who were quite deficient in worldly wisdom and political sagacity. Nothing can be farther from the truth. Their leaders belonged to the same class with the debaters and statesmen, who guided the deliberations of the Long Parliament, and swayed the destinies of England with unparalleled firmness, prudence, and vigor, for over twenty years. Whatever else they may have been, Cromwell and Hampden, Pym, St. John, and Hollis were no fools. The name of the younger Vane stands high on the list of the philosophical statesmen and patriots of the mother country; yet those who have studied his career here in New England will admit that he was excelled, in all the high qualities of a governor of the people, by Winthrop, who was for a time his rival. Among Winthrop's colleagues and advisers were some of the best scholars of the English Universities — men of far-reaching views and noble aims — who guided the councils of the infant colony with as much political wisdom as religious fervor, and who were not wholly unconscious of their high vocation here in laying the foundations of a peculiar Christian commonwealth. In carrying forward this great work,

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they evinced a coolness, a fixedness of purpose, and a consistency of doctrine and conduct, which are the farthest things in the world from the fluctuating opinions and erratic fancies of a distempered fanaticism. True, they did not rise, in all respects, above the erroneous theories and mistaken practices of their age; no whole class of men ever do anticipate the experience and wisdom of later generations. It is not difficult to see their errors now; it is a cheap merit in the nineteenth century to blame the bigotry and the persecuting spirit of the seventeenth. Toleration is the easiest of all virtues when men have become indifferent about truth or error, and do not heartily believe in any thing. But when personal interest or political opinion is at stake, men are just as intolerant now as ever. If the fathers of New England are tried by the only proper standard, the religious opinions and political theories of their contemporaries, they appear worthy of the great part which was assigned to them in the designs of Providence, — of creating the institutions of what was a New World both in a moral and physical sense, and of leaving deeply imprinted upon them the stamp of their own wise and comprehensive purposes and vigorous characters.

We cannot better vindicate the reputation of the elder Winthrop for political sagacity, as well as for a sweet and persuasive eloquence, than by quoting a portion of the memorable speech, delivered in defence of his own conduct, which, even in the miserable, imperfect version of it that is given by Cotton Mather, commanded the warm encomium of De Tocqueville, and which the compilers of the Modern Universal History declared to be "equal to any thing of antiquity, whether we considered it as coming from a philosopher or a magistrate." It may even challenge comparison with the best political speculations of a Mackintosh or a Guizot. The immediate occasion for its delivery was insignificant enough; but it was probably intended as a general defence of the policy of Winthrop's administration against the murmurs which had become prevalent, "that the magistrates intended to make themselves stronger, and the deputies weaker, and so, in time, to bring all power into the hands of the magistrates."

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A quarrel had arisen in Hingham, in 1645, about the election of an officer to command "the trained band" of the town; and the magistrates, to whom the question was referred, ordered that both parties should return home, and that the commander first chosen, Eames, should keep his place till further order of the court. But a majority of the men refused to follow him, and his opponent, Allen, continued to command in defiance of the magistrates. Still further, the church at Hingham, under Mr. Hobart, took part with the malcontents, and were actually proceeding to excommunicate Eames, under pretence that he had falsely reported the order from the court. He applied to the magistrates for protection; and four of them having met together, of whom Winthrop, then deputy-governor, was chief, they issued warrants against several of the offenders, and ordered them to find sureties for their appearance at the next court. Three of these were brothers of the minister, Mr. Hobart, who appeared for them, and expostulated with so much insolence that some of the magistrates told him, "that were it not for respect to his ministry, they would commit him." Soon afterwards, five others of the discontented party were ordered, "for speaking untruths of the magistrates in the church," to give bond for their appearance; and two of them refusing to do so, they were committed in open court. Great excitement followed, and at the next general court, a petition was presented from the Rev. Mr. Hobart and about ninety of the inhabitants of Hingham, directly impeaching the magistrates for exceeding their authority, and infringing the liberties of the people and of the church. When they were desired to name the magistrates whom they accused, and the matters which were laid to their charge, they singled out the deputy-governor, and two of the petitioners undertook the prosecution. It was then ordered, at the request of Winthrop himself, that the cause should receive a public hearing.

"The day appointed being come, the court assembled in the meeting-house at Boston. Divers of the elders were present, and a great assembly of people. The deputy governor, coming in with the rest of the magistrates, placed himself beneath within the bar, and so sate uncovered. Some question was in the court about his being in that

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place (for many both of the court and assembly were grieved at it.) But the deputy telling them, that, being criminally accused, he might not sit as a judge in that cause, and if he were upon the bench, it would be a great disadvantage to him, for he could not take that liberty to plead the cause, which he ought to be allowed at the bar, upon this the court was satisfied." Vol. ii. p. 275.

After the petitioners had been heard, Winthrop urged that he might have demurred in law, or refused to answer, upon three separate grounds: — 1. That nothing really criminal had been laid to his charge. 2. That if he had been mistaken in respect either of the law or the facts, his erroneous judgment might be reversed, but his uprightness as a judge was not therefore to be called in question. 3. That by singling him out from four of the magistrates, and making him alone responsible for the act of the whole court, his means of defence were crippled, inasmuch as an act might be justifiable if done by the full court, which would be criminal if performed by a single magistrate. Still, in order to satisfy men's minds, he consented to waive this plea, and make answer to the particular charges, so that the whole cause might be heard. Then, after examination of the witnesses, he entered into a full justification of himself on all the points, showing that the action of the court, on complaint regularly preferred to it of mutinous practice, open disturbance of the peace, and slighting of authority, in binding over the parties to answer at the next court, was according to the laws of England, and in conformity with the practice here ever since the Colony was formed. A vehement discussion ensued, party spirit being thoroughly excited, and the debate proceeding with great clamor.

"Two of the magistrates and many of the deputies were of opinion that the magistrates exercised too much power, and that the people's liberty was thereby in danger; and other of the deputies, (being about half,) and all the rest of the magistrates were of a different judgment, and that authority was overmuch slighted, which, if not timely remedied, would endanger the commonwealth, and bring us to a mere democracy." Vol. ii. p. 277.

All were agreed, however, that the petition against Win-

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throp and his colleagues was false and scandalous, and that the deputy-governor "ought to be acquit and righted;" but they differed on the point whether the petitioners and the other parties to the disturbance at Hingham should be censured and otherwise punished. The controversy ran high for over two months. The Assistants offered to refer the matter to the clergy, who were then in session at Cambridge; "but the deputies would by no means consent thereto, for they knew that many of the elders understood the cause, and were more careful to uphold the honor and power of the magistrates than themselves well liked of." Then it was agreed, upon motion of the deputies, that the cause should be left to arbitration. But no sooner were the arbitrators chosen than the managers of the opposite party, finding that the decision would certainly be against them, came privately to the magistrates, and agreed that the chief petitioners, and other parties to the disturbance, should be punished. Fines were, accordingly, imposed upon them, amounting in the aggregate to one hundred pounds, and the deputy-governor was legally and publicly acquitted of all that had been laid to his charge.

"According to this agreement, presently after the lecture, the magistrates and deputies took their places in the meeting-house, and the people being come together, and the deputy governor placing himself within the bar, as at the time of the hearing, etc., the governor read the sentence of the court, without speaking any more, for the deputies had (by importunity) obtained a promise of silence from the magistrates. Then was the deputy governor desired by the court to go up and take his place again upon the bench, which he did accordingly, and the court being about to arise, he desired leave for a little speech, which was to this effect." Vol. ii. p. 279.

He alluded, in a graceful and touching manner, to the pain and humiliation he had suffered in being thus criminally charged and subjected to open trial; and acknowledged that it was sufficient cause for him to humble himself before God, though the judgment of the court was sufficient for his justification before men. Not a word of exultation at his triumph escaped him, nor did he even allude to the original subject of controversy; but in the manner of a father addressing his children, he thus proceeded: —

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"The great questions that have troubled the country, are about the authority of the magistrates and the liberty of the people. It is yourselves who have called us to this office, and being called by you, we have our authority from God, in way of an ordinance, such as hath the image of God eminently stamped upon it, the contempt and violation whereof hath been vindicated with examples of divine vengeance. I entreat you to consider, that when you choose magistrates, you take them from among yourselves, men subject to like passions as you are. Therefore when you see infirmities in us, you should reflect upon your own, and that would make you bear the more with us, and not be severe censurers of the failings of your magistrates, when you have continual experience of the like infirmities in yourselves and others. We account him a good servant, who breaks not his covenant. The covenant between you and us is in the oath you have taken of us, which is to this purpose, that we shall govern you and judge your causes by the rules of God's laws and our own, according to our best skill. When you agree with a workman to build you a ship or house, etc., he undertakes as well for his skill as for his faithfulness, for it is his profession, and you pay him for both. But when you call one to be a magistrate, he doth not profess nor undertake to have sufficient skill for that office, nor can you furnish him with gifts, etc., therefore you must run the hazard of his skill and ability. But if he fail in faithfulness, which by his oath he is bound unto, that he must answer for. If it fall out that the case be clear to common apprehension, and the rule clear also, if he transgress here, the error is not in the skill, but in the evil of the will: it must be required of him. But if the case be doubtful, or the rule doubtful, to men of such understanding and parts as your magistrates are, if your magistrates should err here, yourselves must bear it.

"For the other point, concerning liberty, I observe a great mistake in the country about that. There is a twofold liberty, natural (I mean as our nature is now corrupt) and civil or federal. The first is common to man with beasts and other creatures. By this, man, as he stands in relation to man simply, hath liberty to do what he lists; it is a liberty to evil as well as to good. This liberty is incompatible and inconsistent with authority, and cannot endure the least restraint of the most just authority. The exercise and maintaining of this liberty makes men grow more evil, and in time to be worse than brute beasts: *omnes sumus licentiâ deteriores.* This is that great enemy of truth and peace, that wild beast, which all the ordinances of God are bent against, to restrain and subdue it. The other kind of liberty I call civil or federal, it may also be termed moral, in reference to the cove-

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nant between God and man, in the moral law, and the politic covenants and constitutions, amongst men themselves. This liberty is the proper end and object of authority, and cannot subsist without it; and it is a liberty to that only which is good, just, and honest. This liberty you are to stand for, with the hazard not only of your goods, but of your lives, if need be. Whatsoever crosseth this, is not authority, but a distemper thereof. This liberty is maintained and exercised in a way of subjection to authority; it is of the same kind of liberty wherewith Christ hath made us free. The woman's own choice makes such a man her husband; yet being so chosen, he is her lord, and she is to be subject to him, yet in a way of liberty, not of bondage; and a true wife accounts her subjection her honor and freedom, and would not think her condition safe and free, but in her subjection to her husband's authority. Such is the liberty of the church under the authority of Christ, her king and husband; his yoke is so easy and sweet to her as a bride's ornaments; and if through frowardness or wantonness, etc., she shake it off, at any time, she is at no rest in her spirit, until she take it up again; and whether her lord smiles upon her, and embraceth her in his arms, or whether he frowns, or rebukes, or smites her, she apprehends the sweetness of his love in all, and is refreshed, supported, and instructed by every such dispensation of his authority over her. On the other side, ye know who they are that complain of this yoke and say, let us break their bands, etc., we will not have this man to rule over us. Even so, brethren, it will be between you and your magistrates. If you stand for your natural corrupt liberties, and will do what is good in your own eyes, you will not endure the least weight of authority, but will murmur, and oppose, and be always striving to shake off that yoke; but if you will be satisfied to enjoy such civil and lawful liberties, such as Christ allows you, then will you quietly and cheerfully submit unto that authority which is set over you, in all the administrations of it, for your good. Wherein, if we fail at any time, we hope we shall be willing (by God's assistance) to hearken to good advice from any of you, or in any other way of God; so shall your liberties be preserved, in upholding the honor and power of authority amongst you." Vol. ii. p. 280 – 282.

The people showed their appreciation of Winthrop's conduct and advice, the next year, by choosing him governor again, and continuing him in office for the rest of his life. He had no cause to regret that he had been arraigned on a criminal charge at the bar of his own court; his noble speech will probably outlive even the prosperous commonwealth

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which he founded. We have dwelt at some length upon the history of this controversy, insignificant as it may appear to some, for it illustrates the state of feeling which long existed between the deputies and the Assistants, and incidentally throws much light upon the peculiar polity of Massachusetts under the old Charter.

The Court of Assistants was, in truth, an anomalous body; it united executive, legislative, and judicial functions. Certainly it would not have been so constituted, if the original purpose of the Charter had been to found a colony and institute a government. But we all know that it was not so; the Charter was originally designed for a trading corporation within the realm, like the East India Company, or any other incorporated trading association. Great power was therefore given to the Governor, Deputy-Governor, and eighteen *Assistants*, whom we should call the *Directors*, but who were loosely denominated "the magistrates," after the Charter had been somewhat arbitrarily converted into an instrument of government. They were authorized "to take care for the best disposing and ordering of the general business and affairs" of the lands which were granted, and for "the plantation thereof *and the government of the people there*." They were empowered to hold "a court or assembly of themselves" once every month, or oftener, at their pleasure, at which seven should be a quorum, "for the better ordering and directing of their affairs." A great and general court, or assembly, of all the freemen was to be held four times a year, of which the Governor or Deputy-Governor, and at least six of the Assistants, were necessarily to form a part, at which such and so many persons "as they shall think fit" were to be made free of the company, officers were to be chosen, and laws and ordinances to be enacted for the welfare of the company, and for the government and ordering of the lands or plantation, "and the people inhabiting and to inhabit the same." There is no mention of any deputies or representative assembly; and the only check upon the legislative power is found in the provision, that "such laws or ordinances be not contrary or repugnant to the laws and statutes of this our realm of England." One other provision clearly contemplates

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the continued residence of the Governor and Company within the limits of England; for it provides that the commanders, or other officers and ministers, appointed by them to govern the plantation and its inhabitants, should "have full and absolute power and authority" to punish, pardon, govern, and rule all the adventurers and settlers, according to the laws, ordinances, and directions of the Governor and Company aforesaid.

It was a daring measure, therefore, and one of very doubtful legality, to transfer bodily the Charter, the Governor, and the whole Company from Old England to New England, and thereby to transform a trading or planting corporation into a government, a board of Assistants or Directors into a court of magistrates, and a meeting of shareholders into a popular legislative assembly. But the measure being once taken, there can be no doubt what sort of a government was thereby instituted, if any regard was to be paid to the remaining provisions of the Charter. The government was a close corporation; no one could claim admission into it as a matter of right, though he became a settler in the colony. The freemen themselves were to determine whom they would admit to be their colleagues and successors. For this reason, and because so much power was given to the Governor and Assistants, this irregular and perverted Charter, this institution of a trading company wrested into an institution of a colonial government, answered the purposes of the founders of Massachusetts far better than any direct grant of privileges which they could hope to obtain from the crown. They sought to found, not a state, but a church; they wished, not to invite all settlers for the mere sake of peopling a plantation as rapidly as possible, but to keep out all who did not agree with them in religious opinion, and thus to take effectual care that the peace of their new home should never be disturbed by theological controversy. They had an undoubted right to do so, for they formed, not a political body corporate, but a private association, and as such, they had a right to select their own companions and associates, and to have the exclusive possession of their own territory. Their lands, previously untenanted except by Indians, whose conversion formed a part

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of their scheme, had been fairly bought and paid for, and were to be kept free from intrusion and trespass. And fair notice was given that they intended to keep out all who were not their brethren in the faith; Quakers and Anabaptists, Papists and Antinomians, (they would have added Church-of-England men, if they had dared,) were formally warned off their premises. Even at the present day, no one questions the right of any band of sectaries to do precisely the same thing, if they see fit; the Shakers and the Mormons do so, and we do not think of charging them with religious intolerance or a persecuting spirit. Hutchinson states the case fairly, when, alluding to the strictness and severity of the laws of Massachusetts, he says, the founders of "Pennsylvania, by a greater latitude in their system, have drawn inhabitants in much greater proportion. Our ancestors valued themselves upon being a colony for religion. Penn had no other motive to found his colony than human policy." If Winthrop and his colleagues had accepted an ordinary charter from the king for planting a colony, they could not have acted up to this principle; they would probably have been obliged to accept all who chose to join them.

We will borrow Governor Winthrop's own argument upon this point. The following is an extract from his Defence of a Law of the General Court, passed in 1637, (immediately after the controversy with Wheelwright and Mrs. Hutchinson,) "to this effect, that none should be received to inhabit within this jurisdiction but such as should be allowed by some of the magistrates." Vane published an "Answer" to this "Defence," and Winthrop made a rejoinder; but the dispute between them was conducted without acrimony.

"1. If we here be a corporation established by free consent, if the place of our cohabitation be our own, then no man hath right to come into us, &c., without our consent.

"2. If no man hath right to our lands, our government privileges, &c., but by our consent, then it is reason we should take notice of before we confer any such upon them.

"3. If we are bound to keep off whatsoever tend to our ruin or damage, then we may lawfully refuse to receive such whose dispositions suit not with ours, and whose society (we know) will be hurtful to

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us, and therefore it is lawful to take knowledge of all men before we receive them.

"4. The churches take liberty (as lawfully they may) to receive or reject at their discretion; yea particular towns make orders to the like effect; why then should the commonweal be denied the like liberty, and the whole more restrained than any part?

"5. If it be a sin in us to deny some men place, &c., among us, then, it is because of some right they have to this place, &c., for to deny a man that which he hath no right unto is neither sin nor injury.

"6. If strangers have right to our houses or lands, &c., then it is either of justice or of mercy; if of justice, let them plead it, and we shall know what to answer; but if it be only in way of mercy, or by the rule of hospitality, &c., then I answer, 1st: A man is not a fit object of mercy except he be in misery. 2d: We are not bound to exercise mercy to others to the ruin of ourselves. 3d: There are few that stand in need of mercy at their first coming hither. As for hospitality, that rule doth not bind further than for some present occasion, not for continual residence.

"7. A family is a little commonwealth, and a commonwealth is a great family. Now as a family is not bound to entertain all comers, — no, not every good man, (otherwise than by way of hospitality,) no more is a commonwealth.

"8. It is a general received rule, *turpius ejicitur quam non admittitur hospes*, it is worse to receive a man whom we must cast out again, than to deny him admittance.

"9. The rule of the apostle John, 2. 10, is, that such as come and bring not the true doctrine with them should not be received to house, and by the same reason not into the commonweal.

"10. Seeing it must be granted that there may come such persons (suppose Jesuits, &c.) which, by consent of all, ought to be rejected, it will follow that this law (*being only for notice to be taken of all that come to us, without which we cannot avoid such as indeed are to be kept out*) is no other but just and needful, and if any should be rejected that ought to be received, that is not to be imputed to the law, but to those who are betrusted with the execution of it. *Hutch. Col. of Papers*, pp. 68, 69.

We can now see that the peculiar limitation of the right of suffrage in Massachusetts was a natural and necessary feature of the scheme upon which the Colony was established. The law that none but members of the churches could become freemen of the colony, or could vote at the elections, has been the subject of much unfounded invective. While it existed,

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we must remember that universal suffrage was a thing almost unheard of anywhere, and probably was not desired by a single member of the community. Nothing like it had ever existed in England, where the right of voting was generally restricted to freeholders and to the freemen of the several municipal corporations, who bore by no means so large a ratio to the total population as did the church members in New England. Instead of evincing a narrow and exclusive spirit, therefore, the first effect of the Massachusetts law was a very unusual enlargement of the right of suffrage. Among the original grantees of the charter, among the original members of the association, and even the earlier companies of emigrants, it is probable that nearly all the male adults, excluding servants, were either members of a church, or became such immediately after their landing on the shores of the Bay. The established mode of settling a new town in those days was to found a church on the proposed locality of the settlement; as it was taken for granted that at least all the heads of families who proposed to colonize would seek and need church privileges. In fact, it may be doubted whether the rule of exclusion then was much, if any, broader than that which still exists in Massachusetts, and which deprives all who are not tax-payers of the right of suffrage. The principle of limitation, indeed, was different. In England, it was either rank or property, generally the latter; here it was religious faith and practice. Considering the principles upon which this peculiar colony was avowedly established, and as no one then even thought of universal suffrage, it may be doubted whether any limitation of the right could have been devised which would have been safer or more practicable than the one adopted in Massachusetts.

The principle was applied with a just regard to the rights of the few settlers who had established themselves in the territory, before Winthrop, or even Endicott, had landed. Immediately after coming over, Winthrop's company admitted one hundred and nine new freemen, among whom were most of the "Old Planters," as they were termed, — persons who had irregularly established themselves on the Massachusetts shore before the Charter was granted, and whose reli-

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gious principles, if they had any, were generally distasteful to the Company. The law respecting the admission of freemen was not passed till the year afterwards, — probably because the necessity of it had not become apparent, as nearly all Winthrop's immediate companions were church members. But after the lapse of a year, stragglers and interlopers began to appear among them, and it was necessary to deprive these of any power of molesting the great majority, or breaking up the original and much cherished plan of the settlement. Certainly, we cannot complain of any law which prevented such worthies as Thomas Morton or Sir Christopher Gardiner from troubling the colony. Even in our day, such men would be liable to punishment as vagrants, licentious persons, and disturbers of the public peace; in 1630, they were dangerous nuisances.

In 1646, the famous Dr. Robert Child attempted to create some agitation among the people, by presenting a petition and remonstrance against several alleged grievances, among which this exclusion of all but church members from the privileges of freemen was chief. The fact that the author of this petition could find but *seven* persons who were willing to sign it, enables us to estimate the amount of discontent which this law had occasioned, after it had been fifteen years in force; and the very pungent answer of the General Court to the petition informs us who these persons were.

"We have good cause to be persuaded," say the General Court, "that there are not many of these discontented remonstrants within our jurisdiction, nor in New England. We are further confirmed herein, when we consider what hard shifts these remonstrants were put unto to make up the number of *seven*. The first (and he that must be the leader in this design,) is a Paduan Doctor, (as he is reputed) lately come into the country, who hath not so much as tasted of their grievances, nor like to do, being a bachelor and only a sojourner, who never paid a penny to any public charge, though (of his own good will) he hath done something for public use. A second is a church member, but will be no freeman; he likes better to be eased of that trouble and charge. A third [Samuel Maverick, one of the Old Planters, admitted among the 109] is a freeman, but no member of any church, and the reason hath been his professed attachment to the hierarchy. [He was

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an Episcopalian.] A fourth is the clerk of the prothonotaries' office, a sojourner also, and of no visible estate in the country, one who hath never appeared formerly in such design, however he may have been drawn into this; it is like to be as those who were called by Absalom to accompany him to Hebron. A fifth is a young merchant, little acquainted with commonwealth affairs. * * * A sixth was taken up by accident, being none of this jurisdiction, but himself and family inhabiting in Rhode Island. The seventh is an old grocer of London, whose forgetfulness of the laws and customs of that city, and unmindfulness of his duty to the government under which he now lives, we may impute to his age and other infirmities.

"And these are the champions who must represent the body of non-freemen. If this be their head, sure they have *insulsum caput et non multo sale defæcandum.*"

It appears there was another petition, also got up at the instigation of Child, and presented at the same time, of which Winthrop gives the following account: —

"They sent their agents up and down the country to get hands to this petition. But of the many thousands they spake of, we could hear but of twenty-five to the chief petition, and those were (for the most part) either young men who came over servants, and never had any show of religion in them, or fishermen of Marblehead, profane persons, divers of them brought the last year from Newfoundland to fish a season, and so to return again; others were such as were drawn in by their relations, men of no *reason* neither, as a barber of Boston, who, being demanded by the governor, what moved him to set his hand, made answer, that the gentlemen were his customers, etc.; and these are the men, who must be held forth to the parliament, as driven out of England by the bishops, etc., and whose tears and sighs must move compassion." Vol. ii. p. 358.

It does not appear that the disqualification of the non-freemen was universal; for the petitioners were driven to confess, though they at first impudently denied it, "that non-freemen have a vote in the choice of military officers." The following, moreover, is one provision in the "Body of Liberties," enacted in 1641, being the first code of laws established in Massachusetts.

"Every man, *whether inhabitant or foreigner, free or not free,* shall have liberty to come to any public Court, Council, or Town Meeting,

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and either by speech or writing, to move any lawful, reasonable, or material question, or to present any necessary motion, complaint, petition, bill, or information, whereof that meeting hath proper cognizance, so it be done in convenient time, due order, and respectful manner."

Another reason why Winthrop and his colleagues preferred their seemingly imperfect Charter, or mere grant of corporate privileges for trading purposes, to any regular Charter, or formal cession of political authority from the crown, (even supposing that they could have obtained the latter, had they desired it,) was that it gave so much power to the Governor and Assistants; — that, in fact, it put the whole administration, executive and judicial, together with a part of the legislative power, into their hands, reserving to the freemen only a right to make an annual election of these officers, a right to admit other freemen, and a concurrent right of legislation. It is the universal practice, even at the present day, for a private incorporated company to give the entire management of its affairs to a Board of Directors, annually chosen, and responsible to the body of the stockholders for the due exercise of their trust, but not liable to any interference on the part of these stockholders while they are in office. The founders of Massachusetts, as we have seen, designed to preserve in their Colony all the essential features of a private association, formed, not indeed for trading, but for religious purposes, — to preserve unity of faith and worship, and freedom from theological jangling. The principal stockholders, those who had invested most in the undertaking, who first conceived the scheme, and had the lead among their fellows in rank, education, and reputation for piety and ability, were to hold the reins almost as a matter of course. They designed the government to be a mild sort of patriarchal aristocracy, directed according to the principles of the word of God. The ministers of the churches naturally favored this intention; to carry it out was the surest means of preserving that purity and unity of faith which they so much prized. And it was not, at first, at all distasteful to the freemen generally. Whatever cause of complaint the emigrants had against the administration of the government at home, they were still Englishmen, — English in their affections, English in their prejudices,

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English in their instinctive respect for rank and station. It was probably understood among them, before they embarked, that the chief direction of the Colony, the general control of affairs, was to be and to remain in the hands of those who first conceived the enterprise and furnished the principal means for its execution. Far from manifesting any jealousy of the magistrates in the outset, at the first General Court after they landed, they conferred the whole power of legislation upon them, together with a right to choose the Governor and Deputy-Governor out of their own number, — thus voluntarily denuding themselves of a privilege which was secured to them by the Charter. As the leading persons, the few "gentlemen" of the Colony all belonged to this Board, the measure created no surprise; they seemed to act on the understanding that the government in all its parts naturally devolved upon them. It was even understood, that they were to hold office indefinitely, the freemen reserving to themselves only the right of filling such vacancies as might occur by death or resignation, or of occasionally displacing a magistrate for some extraordinary cause. At least, this was the only right that they exercised for some years; the Assistants were usually reappointed, except on rare exigencies or for special reasons.

At the General Court of the next year, it is true, the freemen appeared somewhat jealous of the little oligarchy which they had created; and they resumed to themselves the power of electing the Governor and the Deputy, as well as the Assistants. Still, the power of making laws generally remained with "the magistrates," who, as Hutchinson remarks, "kept the powers of government, both legislative and executive, very much in their hands the first three years." Not more than eight or nine Assistants were usually chosen, while the legal number was eighteen; the avowed policy being to keep several offices open, so that if gentlemen of rank and substance, agreeing with them in the faith, should be induced to emigrate to the Colony, they might be immediately complimented with a place at the board of magistrates. In this manner, Mr. Humphrey, a brother-in-law to the Earl of Lincoln, John Winthrop, Jr., the Governor's oldest son, and Mr. Haynes, "a gentleman of great estate," afterwards chosen Governor him-

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self, were successively appointed soon after their arrival, the other members of the Court of Assistants remaining unchanged. In pursuance of the same policy, the younger Vane was chosen governor in a few months after his arrival; "and because he was son and heir to a Privy Councillor in England, the ships congratulated his election with a volley of great shot." It was likewise ordered, that he should be, "for his year," president of a Council, the two other members of which, Winthrop and Dudley, should be appointed for life. The ill success of Vane's stormy administration probably operated, with other causes, to make this experiment unpopular; and the council for life continued only three years. Vane also assumed more state as governor than had been usual in the infant settlement; four attendants preceded him with their halberds when he went either to court or church. Yet after his return to England, as is well known, he became a leader of the Republican party there; — a striking proof, among others, that English republicanism, in those days, consisted merely in that aversion to the kingly office which had naturally grown out of resistance to the tyranny of Charles I. and the exasperation produced by the civil war. It was even more averse to democracy than to royalty.

The abortive measure of a Council for life had reference to certain proposals, made in 1636, by Lord Say and Seale, Lord Brooke, and other "persons of quality," as conditions of their removing to New England. Mr. Cotton, in a letter to the former nobleman, informs him that the General Court had conformed to his wishes in this respect, although they had as yet chosen only two members of this Council, — "that so," he adds, "they may keep an open door for such desirable gentlemen as your Lordship mentioneth." The other proposals of these Lords and gentlemen certainly appear of a very extraordinary character, especially when it is remembered that they were among the leaders of the Puritans at home, who were banded together in opposition to the king's government. They asked that the Court of Assistants should be converted into a House of Peers, to be continued by hereditary descent, and to form a permanent upper branch of the legislature; into this rank and office the gentlemen making

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the proposals were to be admitted, even before their arrival in this country; and the dignity was to descend to their heirs. Mr. Cotton's elaborate reply to each of their proposals affords a curious illustration of the political ideas entertained by the fathers of the Massachusetts Colony. "I do not conceive," he says, "that God did ever ordain democracy as a fit government, either for church or commonwealth. If the people be governors, who shall be governed? As for monarchy and aristocracy, they are both of them clearly approved and directed in Scripture; yet so that [God] referreth the sovereignty to himself, and setteth up theocracy in both as the best form of government." He greatly magnified the office of the Assistants, and affirmed that all persons of consideration and estate, who came among them, were appointed to that dignity, if they became members of the church. But to the proposal that the office should necessarily belong to them and their heirs, he demurs, and takes a fine distinction to justify the contrary practice.

"Hereditary *honors* both nature and Scripture doth acknowledge; but hereditary *authority* and power standeth only by the civil laws of some commonwealths; and even among them, the authority and power of the father are nowhere communicated, together with his honors, unto *all* his posterity. Where God blesseth any branch of any noble or generous family with a spirit and gifts fit for government, it would be a taking of God's name in vain to put such talent under a bushel, and a sin against the honor of magistracy to neglect such in our elections. But if God should not delight to furnish some of their posterity with gifts fit for magistracy, we should expose them rather to reproach and prejudice, and the commonwealth with them, than exalt them to honor, if we should call them forth, when God did not, to the magistracy."

On the receipt of this answer, as might have been anticipated, the Lords Brooke and Say concluded to remain at home.

Another symptom of the aristocratic spirit which prevailed at first among the colonists, but especially among their magistrates, was the jealous care with which they preserved the few outward tokens of social distinction which they brought over with them from England. "They were very careful,"

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says Hutchinson, "that no title or appellation should be given where it was not due; nor more than half a dozen of the principal gentlemen took the title of 'Esquire;' and in a list of one hundred freemen, you will not find above four or five distinguished by 'Mr.,' although they were generally men of some substance. 'Goodman' and 'Goodwife' were common appellations.'" Privation of the address indicating gentility was even inflicted as a punishment. At a court held in 1631, *Mr.* Josias Plaistow, for the crime of stealing some corn from the Indians, was very appropriately deprived of the title of a gentleman, and sentenced to be called plain "Josias." The smallness of their number, during the first few years, and the strangeness of their condition, on a wild shore so far from "home," with no well digested frame of polity, and no established code of laws, also tended to keep up the patriarchal and semi-aristocratic tone of their government. They resembled a large family of children and servants, more than an organized body politic, and the Governor and Assistants ruled them with the mild despotism which seems naturally to belong to the heads of a family.

Of course, this state of things could not long continue. The circumstances in which the colonists were placed tended to diffuse and develop among them the spirit of equality and sentiments of republicanism to an extent of which the founders of the settlement had never dreamed. From the beginning, there was remarkable equality of fortune and social position among the body of the colonists; excepting the few who were chosen to the board of magistrates, or who received the only honorary designation in use among them, none were wealthy, nearly all depended on the labor of their hands. Though several of the nobility and gentry favored the emigration, and watched with interest the fortunes of the infant settlement, few of them actually embarked in it, and still fewer persisted to the end. The happy and the powerful do not go into exile. We have seen that Lords Brooke and Say could not make up their minds to join the colony. Lady Arabella Johnson and her husband died the first winter; Harlakenden survived only a few years. Vane, Humphrey, Saltonstall, and Vassall, who were also of good families, made

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but a brief stay. Nearly all the colonists were of the middling and lower classes of English society. This fact was not without an important influence on the political character and fortunes of the settlement. Equality of social claims was the natural basis of equality of social privileges. There was a germ of republicanism in the colony from the outset, — a natural tendency, as it were, towards universal eligibility and universal suffrage. This germ, it is true, for some time, was undeveloped, or grew only in secret; it was kept down by the previous habits of the people, by their hereditary prejudices, by the respect for rank and station which they had imbibed with their mother's milk. There was no conscious purpose or wish of the settlers to create institutions differing in any material respect from those they had left in the mother country, except in regard to liberty of worship. They did not intend to renounce their allegiance, to shake off the monarchy, or to found a commonwealth upon any new principles but purity and unity of religious faith and practice. But under the necessity of accommodating themselves to their novel situation, carried along by the nature of the materials of which their company was composed, and by the religious purpose of their undertaking, they unconsciously sowed the seeds of a great future change in the political character of their government. Of this change they had no more idea than they had of the future greatness of the country they were colonizing. In both respects, they were the blind instruments for accomplishing the great designs of the Master whom they worshipped.

The first manifestations of this republican feeling, the first expressions of the people's wish to have an active voice and a constant and direct agency in the government of their little commonwealth, seem to have taken "the magistrates" by surprise. They did not understand the new spirit that had been evoked. They resisted it, as something opposed to the original idea under which they had come together, and as destructive of the capital feature in their scheme, — the institution of a separate religious community, in which all should be united in the one pure faith, and should walk in the ways of the Lord blameless, free alike from persecution and dissension. The people were likened unto the Israelites, who had

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come up out of Egypt; and Governor Winthrop and Mr. Cotton, with their colleagues, were the Moses and Aaron, who were to guide them through the wilderness, and to whose direction they were bound to submit without murmuring. But they were now beginning to show as stiff-necked a spirit as that which animated their prototypes of old. The magistrates would have maintained here a kind of watchful patriarchal government, which should strictly enforce the law of God, with as little interference as possible from the people. They did not understand the effect, upon the spirit of the colonists, of being suddenly emancipated, through their emigration, from the rigid and absolute rule, both in church and state, to which they had been subjected in England. They did not foresee the reaction, — the natural, even if excessive, expansion of the human mind, when suddenly relieved from so great a pressure. Those who had withstood the tyranny of Strafford and Laud, who had braved the perils of the High Commission and the Star Chamber, were not to be tamely guided by Cotton, Dudley, and Winthrop, excellent men though they were, pure in faith and blameless before God and man. A controversy began, which lasted the whole time that the old Charter was in being, though the prudence of the magistrates prevented it from ever coming to an open outbreak, between the high notions of government entertained by those who desired to carry out the original plan upon which the Colony was formed, and the independent democratic spirit that was fostered by circumstances among the people. Here, as in the case of the English Reformation, the result was quite unlike the design. Intending to establish a mild form of patriarchal polity, the fathers of Massachusetts actually laid the foundations of a broad and very efficient republicanism, which, in all essential respects, was as firmly established at the commencement as at the close of the eighteenth century. Intending to secure unity of belief, by limiting the benefits of the Colony to the members of one religious persuasion, they in fact beheld sects multiplying around them with unexampled rapidity, and the paramount influence of religion preserved by the very cause which, they feared, would effect its ruin, — namely, the liberty of every

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man to hold such a creed and practise such a form of worship as suited his peculiar temper, and the abstinence of all religious sects, as such, from any interference with political concerns.

The grounds of the controversy between the magistrates and the people have not been understood, and the motives and temper of the former have been grossly misrepresented. The position taken by them, and maintained with so much pertinacity, has been set forth as a usurpation and an abuse, while, in truth, it was only an attempt to carry out the original scheme of the settlement, and to act upon the principles which were at first universally recognized. Gradually, and without any conscious agency on the part either of the governors or the governed, — nay, in spite of the earnest resistance of the former, — a private religious association became a flourishing political community. A sect became a people, a family expanded into a State. It was their misfortune, perhaps it was their fault, that they did not recognize this change soon enough, and adapt themselves to the altered circumstances of their position. But no blame, even in this respect, can be imputed to the rulers of the first generation, in whose time the transformation, though it was in progress, was by no means complete. Again, their efforts to stem the current, or, as they conceived, to check the degeneracy of the times, have been represented only as the struggles of self-seeking and ambitious men, "clothed with a little brief authority," intolerant in spirit, meddlesome and grasping in disposition, to preserve a power which they had usurped, and to repress every movement tending to political or religious freedom among those whom they governed. How far this representation is from the truth, let those judge who have attentively considered the acts and writings of the founders of Massachusetts, as they were, before a factitious coloring was given to them by historians and essayists who lived two centuries afterwards, and who had their own political and religious theories to defend. More self-denying, disinterested, pure-minded, and unambitious rulers, a people were never blessed with. There is an antecedent presumption in their favor, arising from the fact that they were self-banished men

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for conscience' sake; and this presumption is borne out by all their subsequent deeds and words. They had left country, home, and friends, — all that, in the estimation of most persons, renders life desirable, — for the sake of uniting their fortunes and their faith with those of a band of poor exiles on a distant, rugged, and inhospitable coast. Emigration to New England, in 1630, was pretty much what emigration to the Falkland Islands or to Patagonia would be held to be, at the present day. What inducement was there for an English country gentleman, of £700 a year, (equal to at least £7,000 now,) to cast in his lot with these poor fugitives, who had, indeed, nothing to gain from leaving England, but who certainly had nothing to lose? And the same question may be asked with reference to the sisters of the Earl of Lincoln, with their husbands, and even to men of so much station and substance as Dudley, Harlakenden, Haynes, Nowell, Pynchon, Rossiter, Bradstreet, or any "Assistant" for the first half century after the emigration began. Whatever impulses may have led these men to New England, certainly ambition, self, the love of power or the love of gain, an imperious or a grasping temper, had no place among them. Some died the first winter; the hearts of some failed them, and they returned to the mother land; Winthrop and a few others persevered to the end. They sacrificed every thing to the cause; Winthrop spent his whole estate in the Colony's service, and died poor. In gratitude for his services, the deputies to the General Court, who had so often opposed him, unanimously voted, "that two hundred pounds should be given to the infant of our late honored governor, John Winthrop, Esq., out of the next country levy." This infant son, otherwise wholly unprovided for, died when only three years old; and the Court provided that one third of the aforesaid sum should be paid to the widow, and the other two thirds to Mr. Deane Winthrop and Mr. Samuel Winthrop, "they as yet having had no portions out of the late governor's estate, nor like to have."

Office had no charms for these men. In such a community, at such a period, the labors, the responsibilities, and the burdens of the magistracy were accepted for the public good, but no one in his senses ever sought for them for his private

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advantage. The governor's election was occasionally contested in the strife of parties, but never, as far as we can learn, for personal advantage. The former Assistants, as has been noticed, seem to have been reëlected as a matter of course; the Colony could not spare the services of its few capable and tried men. Besides, the original plan of the settlement was so far adhered to, as to acknowledge that these men were its natural directors and heads. Their efforts to preserve and execute this original plan were the source of all the difficulties and troubles, arising within the Colony, which they experienced. That the magistrates often resisted the action of the Deputies and the demands of the people, and thereby incurred some temporary unpopularity, and made themselves appear, in the eyes of a distant posterity, as avaricious of power, intolerant, and hostile to popular institutions, was the effect, the inevitable effect, of their conscientious endeavors to carry out the primitive design of founding a peculiar Christian commonwealth in America, and preserving it unharmed by any of the evils or dissensions which afflicted God's chosen people in their native land. Religion, not worldly policy, not political reform, was the great object that brought them hither; then let not their conduct be judged by political rules or worldly maxims. Let it be granted, even, that the realization of their original project was impossible; that their scheme was utopian; that a patriarchal government, and a community regulated only by the principles of God's word, and free from political cares or religious disputes, were as much a dream in the seventeenth, as they certainly would be in the nineteenth, century. All this affects only our opinion of their wisdom, not of their sincerity, or their uprightness. The delusion was a natural one, considering the principles and the character of the men who labored under it. It was, at any rate, a generous error, such as was not likely to affect minds in which there remained a trace of selfishness, or a single project of worldly ambition. Our respect for Winthrop and his colleagues, therefore, is not a whit impaired by the whole story of their administration, though they often acted in opposition to those rules of political conduct which we now hold to be sacred and unquestionable.

The extract already given from Mr. Winthrop's speech, in

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defence of himself, shows how much difference of opinion existed between the Deputies and the magistrates, as to the authority of the rulers and the liberties of the people; any one can judge whether the views of government expounded in that speech are slavish, unnatural, or impracticable, or whether the author of it was influenced by ambitious or selfish motives. To illustrate farther this difference of opinion, we will briefly advert to the several steps by which a representation of the people was at length established, and the magistrates were deprived of the exclusive power of making laws. At first, as we have seen, the freemen voluntarily abdicated this power, and conferred it upon the Assistants; authority to raise money by levy or taxation was, of course, included in the right to make general orders or laws. As early as 1632, the people of Watertown became dissatisfied when they were assessed their share (£8) of a rate of £60, "ordered for the fortifying of the new town;" and the pastor and elder assembled the people, and told them "it was not safe to pay moneys after that sort, for fear of bringing themselves and posterity into bondage."

"Being come before the governor and council, after much debate, they acknowledged their fault, confessing freely, that they were in an error, and made a retractation and submission under their hands, and were enjoined to read it in the assembly the next Lord's day. The ground of their error was, for that they took this government to be no other but as of a mayor and aldermen, who have not power to make laws or raise taxations without the people; but understanding that this government was rather in the nature of a parliament, and that *no assistant could be chosen but by the freemen, who had power likewise to remove the assistants and put in others*, and therefore at every general court (which was to be held once every year) they had free liberty to consider and propound any thing concerning the same, and to declare their grievances, without being subject to question, or etc., they were fully satisfied; and so their submission was accepted, and their offence pardoned." Vol. i. p. 84.

Two or three months afterwards, however, probably at the instigation of the magistrates themselves, who disliked the responsibility of so delicate a task as the apportionment of a tax among the several towns, "Every town chose two men

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to be at the next Court, to advise with the Governor and Assistants about the raising of a public stock, so as what they should agree upon should bind all." But these men, it should be understood, were not legislators, but only a committee for the equal apportionment of taxes. But in 1634, they proceeded to claim full power of legislation, which, as appears from the following entry, the magistrates were rather unwilling to grant: —

"Notice being sent out of the general court to be held the 14th day of the third month, called May, the freemen deputed two of each town to meet and consider of such matters as they were to take order in at the same general court; who, having met, desired a sight of the patent, and, conceiving thereby that all their laws should be made at the general court, repaired to the governor to advise with him about it, and about the abrogating of some orders formerly made, as for killing of swine in corn, etc. He told them, that, when the patent was granted, the number of freemen was supposed to be (as in like corporations) so few, as they might well join in making laws; but now they were grown to so great a body, as it was not possible for them to make or execute laws, but they must choose others for that purpose: and that howsoever it would be necessary hereafter to have a select company to intend that work, yet for the present they were not furnished with a sufficient number of men qualified for such a business, neither could the commonwealth bear the loss of time of so many as must intend it. Yet this they might do at present, viz., they might, at the general court, make an order, that, once in the year, a certain number should be appointed (upon summons from the governor) to revise all laws, etc., and to reform what they found amiss therein; but not to make any new laws, but prefer their grievances to the court of assistants; and that no assessments should be laid upon the country without the consent of such a committee, nor any lands disposed of." Vol. i. p. 152, 153.

It is hardly necessary to add, as Mr. Savage remarks, that the very humble powers here proposed for the representatives were immediately transcended. As soon as the assembly came together, they voted that none but the General Court had power to make laws or to levy taxes; and that the persons deputed by the several towns to represent them "shall have the full power and voices of all the said freemen deputed to them for the making and establishing of laws, granting of

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lands, &c." It is true that the Charter did not authorize the freemen to exercise their powers by deputation, or through their representatives; but it was urged that the power to delegate their right was one of the general privileges of Englishmen, which they enjoyed in addition to those directly given by the Charter. The deputies at this time even imposed a fine upon the Assistants, for acting contrary to an order of the General Court. This was the beginning of a controversy between the two bodies, which was not finally appeased till the forfeiture of the charter changed the whole form of the government. The deputies were constantly extending their claims, and striving to take upon themselves a larger share of the government; the Assistants, actively seconded by the clergy, endeavored to keep the government on its original footing, and to retain all the executive and judicial power, together with a share of the legislative, which the Charter and the original plan of the settlement had put into their hands. In September, 1634, Mr. Hooker and his people, at Newtown, having petitioned for leave to remove to Connecticut, it appeared that a majority of the deputies were in favor of granting leave, while the greater part of the Assistants refused their assent. The magistrates insisted that they had a right to vote as a separate body, so as to have a negative upon all the decisions of the lower house. The deputies maintained that they should all meet as one assembly, in which case their own greater number would enable them to carry their point upon all occasions.

"So, when they could proceed no farther, the whole court agreed to keep a day of humiliation to seek the Lord, which accordingly was done, in all the congregations, the 18th day of this month; and the 24th, the court met again. Before they began, Mr. Cotton preached, (being desired by all the court, upon Mr. Hooker's instant excuse of his unfitness for that occasion.) He took his text out of Hagg. ii. 4, etc., out of which he laid down the nature or strength (as he termed it) of the magistracy, ministry, and people, viz., — the strength of the magistracy to be their authority; of the people, their liberty; and of the ministry, their purity; and showed how all of these had a negative voice, etc., and that yet the ultimate resolution, etc., ought to be in the whole body of the people, etc., with answer to all objections, and a declaration of the people's duty and right to maintain their true

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liberties against any unjust violence, etc., which gave great satisfaction to the company. And it pleased the Lord so to assist him, and to bless his own ordinance, that the affairs of the court went on cheerfully; and although all were not satisfied about the negative voice to be left to the magistrates, yet no man moved aught about it, and the congregation of Newtown came and accepted of such enlargement as had formerly been offered them by Boston and Watertown." Vol. i. p. 168, 169.

This point being established, the magistrates thought proper to show that their power was not to be questioned with impunity. At a court held the same year, one of the deputies, Mr. Stoughton, "was questioned for denying the magistracy among us, affirming that the power of the governor was but ministerial."

"He had also much opposed magistrates, and slighted them, and used many weak arguments against the negative voice, as himself acknowledged upon record. He was adjudged by all the court to be disabled for three years from bearing any public office."

According to the Colonial Record, he was punished "for affirming that the Assistants were not magistrates;" — an indefensible remark, but one which hardly merited so heavy a penalty. Perhaps the magistrates thought so too, after they had had time to reflect; for the disability was removed or overlooked before the expiration of the sentence.

As if to show that there is nothing new under the sun, we find the same matter in dispute as early as 1639 which is a prominent topic of political discussion in Massachusetts the present year, and which has exercised the wits of the people frequently during the intervening two centuries. Our State government here in Massachusetts may be almost called a federation of townships, rather than a government of individuals. Each town, however small, pertinaciously adhering to its right of separate representation in the legislature, the House must either become very inconveniently large, or all idea of apportioning the representation to the population must be given up. Yet the democratic principle requires *equality* quite as much as *universality* of suffrage. It is amusing to find this dilemma stated in 1639, when the whole population certainly did not exceed fifteen thousand. Some

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jealousy was manifested by the freemen at the General Court of that year, because the Assistants, seeing the number of deputies was much increased by the addition of new towns, thought fit, for the convenience both of the people and the Court, to reduce all the towns to two deputies, when they formerly had three.

"This occasioned some to fear, that the magistrates intended to make themselves stronger, and the deputies weaker, and so, in time, to bring all power into the hands of the magistrates; so that the people in some towns were much displeased with their deputies for yielding to such an order. Whereupon, at the next session, it was propounded to have the number of deputies restored; and allegations were made, that it was an infringement of their liberty; so as, after much debate, and such reasons given for diminishing the number of deputies, and clearly proved that their liberty consisted not in the number, but in the thing, divers of the deputies, who came with intent to reverse the last order, were, by force of reason, brought to uphold it; so that, when it was put to the vote, the last order for two deputies only was confirmed. Yet, the next day, a petition was brought to the court from the freemen of Roxbury, to have the third deputy restored. Whereupon the reasons of the court's proceedings were set down in writing, and all objections answered, and sent to such towns as were unsatisfied with this advice, that, if any could take away those reasons, or bring us better for what they did desire, we should be ready, at the next court, to repeal the said order." Vol. i. p. 361, 362.*

This was rather plain and peremptory dealing; but the upholders of the largest liberty of petition will be yet more shocked to find Governor Winthrop openly declaring, that the people of Roxbury acted inconsiderately, and even illegally, in this matter; "for," he argues, "when the people have chosen men to be their rulers and to make their laws, and bound themselves by oath to submit thereto, now to combine together, (a lesser part of them,) in a public petition to have any order repealed which is not repugnant to a law of God,

* Mr. Savage adds this statement in a note. "Early practice and law seem to have established the equality of representation from towns; though it was, after a few years, restricted in some degree. Towns having less than twenty freemen were allowed but one deputy, and those less than ten, none, *though the freemen of such towns were permitted to unite in election with the next towns.*" Here we see the commencement of what is now called the district system.

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savors of resisting an ordinance of God; for the people, having deputed others, have no power to make or alter laws, but are to be subject."

The history of the several attempts made to establish a uniform system or code of laws throws much light upon the intentions of the leaders of the Colony and the wishes of the people, in respect to the nature of the government which they were instituting. The Charter authorized them to make whatever laws or regulations might be found needful, with this single restriction, — that they should not be repugnant to the laws of England. The obvious meaning of this permission was, that the whole body of the English law should remain in force, excepting only such portions as were plainly inapplicable in a feeble and distant settlement, and with the addition of such by-laws or minor regulations as their peculiar situation might require. But the early emigrants were by no means inclined so to understand it. Their purpose was to establish a separate religious community, modelled and governed after a plan of their own. As they construed the Charter, no portion of English law was to be in force among them till they had expressly reënacted it. They were to erect a new frame of government and a new system of law, following only their own ideas of expediency and right, and aiming only to avoid direct contradiction of the statutes of the mother country. Till this scheme could be safely carried out in all its parts, — and great caution was obviously necessary in executing it, — the magistrates were, in fact, to manage the affairs of the Colony, to decide controversies between individuals, and to punish crimes, at their discretion, or with only the Scriptures, their own consciences, and the known wishes and principles of the great body of the Colonists, for their guides. This was the patriarchal system; it was the government of an Arab sheikh over his tribe. It was a government without a constitution, (for the imperfect and perverted Charter of a private trading association does not merit that name,) — without accurately prescribed limits — and, in fact, without law, except a general reference to the word of God, and a general sense of equity or natural justice. It was stern in the punishment of offences against morality, against Scrip-

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ture, and against the principles of the church; and this sternness suited the temper and inclination of the people. But in all other respects, it was mild and equitable. There was a sufficient check upon it, in the fact that its administrators held office only for one year; at the end of which time, if they became unpopular, they could be turned out, and others put in their place. The fact that the magistrates were almost invariably reëlected, proves that the system, and the administration of it, created little or no discontent. It was an elective despotism. The Colony, while few in number and feeble, were like a company of mariners shipwrecked on a wild and unknown coast, and obliged to keep together and maintain strict discipline, in order to avoid the manifold perils of their lot. Such a company might choose its own commanders, but would invest them with absolute authority while in office; for the safety of the whole number is a paramount consideration that overrides all law.

But it would be idle to expect that any people would submit to such a system any longer than the exigencies of the case rendered it absolutely necessary. As the Colony increased in population, in substance, and in spirit, it was found to be intolerable. To have all controversies decided and all offences punished according to the well known, previously established principles, precise and explicit in their tenor, is the very essence of civil freedom. Otherwise, however mild and paternal the administration may be, its action will be felt as oppressive and tyrannical. Particular statutes, enacted from time to time, to deprive the magistrate of his discretionary power in particular cases, must always be an inadequate remedy for the evil. What is wanted is a code, or general system, of law, containing principles applicable to all cases.

This want was felt in Massachusetts as early as 1635, when Winthrop tells us that the deputies to the General Court, "having conceived great danger to our state because our magistrates, for want of positive law, in many cases might proceed according to their discretions, it was agreed that some men should be appointed to frame a body of grounds of law, in resemblance to a Magna Charta, which, being allowed by some of the ministers and by the General Court, should be

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received for fundamental laws." As the work thus contemplated was coextensive, in idea at least, with that which has given undying fame to Justinian and Trebonian, we are not surprised to find the humble legislators of Massachusetts making very slow progress with it; though, as will appear, the magnitude of the undertaking was by no means the chief cause of the delay. Four years afterwards, or in 1639, Winthrop makes this entry: —

> "The people had long desired a body of laws, and thought their condition very unsafe, while so much power rested in the discretion of magistrates. Divers attempts had been made at former courts, and the matter referred to some of the magistrates and some of the elders; but still it came to no effect; for, being committed to the care of many, whatsoever was done by some, was still disliked or neglected by others. At last it was referred to Mr. Cotton and Mr. Nathaniel Warde, etc., and each of them framed a model, which were presented to this general court, and by them committed to the governor and deputy and some others to consider of, and so prepare it for the court in the 3d month next." Vol. i. p. 388.

Again, then, though two codes had been prepared, the matter was referred for subsequent consideration. The magistrates, in fact, under semblance of yielding to the wishes of the people, created as much delay as possible. Through various pretexts, now asking the advice of the clergy, and now of the towns, referring the matter first to one committee, and then to another, and then asking further time to ripen their thoughts, they contrived to postpone the completion of the business till 1641, when the "Body of Liberties," the first code of American Law was formally enacted.

The reason for all this backwardness has been bluntly stated to be, the unwillingness of the magistrates to part with their discretionary power, and to tie themselves down by positive laws. Undoubtedly, it was more pleasant to dispense justice like a Turkish Cadi, guided only by the Koran and one's own sense of right. But it is only just to the fathers of Massachusetts to hear their own statement of the reasons for the delay, which we quote the more willingly, as it shows the political sagacity and prudence of the men who then guided

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the affairs of the Colony. Immediately after the passage just cited, Winthrop remarks, —

"Two great reasons there were, which caused most of the magistrates and some of the elders not to be very forward in this matter. One was, want of sufficient experience of the nature and disposition of the people, considered with the condition of the country and other circumstances, which made them conceive, that such laws would be fittest for us, which should arise *pro re nata*, upon occasions, etc., and so the laws of England and other states grew, and therefore the fundamental laws of England are called customs, *consuetudines*. 2. For that it would professedly transgress the limits of our charter, which provide, we shall make no laws repugnant to the laws of England, *and that we were assured we must do*. But to raise up laws by practice and custom had been no transgression; as in our church discipline, and in matters of marriage, — *to make a law*, that marriages should not be solemnized by ministers, *is* repugnant to the laws of England; *but to bring it to a custom by practice* for *the magistrates* to perform it, is no law made repugnant, etc." Vol. i. pp. 388, 389.

The most astute politician of modern times could hardly match these two reasons for political sagacity, or for a correct understanding of the nature of government. The first shows a clear perception of the nature and character of the English constitution; — that it was not a rigid and inflexible system, framed beforehand, to force the customs and the polity of future generations into such a shape as the imperfect wisdom of earlier times might deem best, and which, because inflexible and bound together as one consistent system, should any discrepancy afterwards arise between it and the wishes and exigencies of the state, could not be modified and bent to the emergency, but must be shattered in pieces by revolutionary force; — but that its excellence and its stability were attributable to the fact, that it had been gradually developed out of the ideas and habits of the people, conforming itself to the varying necessities of each successive generation, and affording resources for every occasion that could arise. After this manner the fathers of Massachusetts wished that the constitution of their infant settlement should grow up, — not a servile copy of the English pattern as it then was, but gradually conformed to the circumstances of their novel situation here in New England, and to the dispositions of the peculiar

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class of people who constituted the Colony. They wished Massachusetts should form its polity just as the growing tree covers itself with its bark, which appears ever the same, but which in reality is ever changing, expanding with the growth of the tree and adapting itself to every irregularity on its surface. They knew that society is not a mass of brute matter, to be fashioned on a turning lathe to any preconceived pattern; but that it is a living and growing thing, which has its own internal principle of increase and development.

Still further; they foresaw that the occasions of New England and the temper of the people would inevitably cause the limits of the Charter to be transgressed, and that any body of laws which they might frame would either be unsuited to the wants of the Colony, or would be so plainly repugnant to the laws of England that it would be disallowed by the authorities at home; and their rejection of it might occasion a revision or a forfeiture of the Charter, and the imposition of a code contrived either by the crown or the parliament. Therefore, the fathers of Massachusetts preferred to wait. They would quietly administer the affairs of the Colony upon principles suited to its occasions and the character of the people, without expressly enacting those principles into laws, which would inevitably attract the censure of the home government. These principles would thus become corroborated by long usage, and form a body of consuetudinary law, which, upon the principles of the British constitution, would be equally valid with express enactments.

The result vindicated their sagacity. Had they not, by cunningly devised pretences and delays, evaded the demands of the people in 1635 and 1639, their new code might have been disallowed by the arbitrary government of Charles I. before it could have been fairly put in action. They postponed the decision till 1641, when the authority had, in the main, passed away from Charles into the hands of their good Puritanic friends in the Long Parliament; and then, in the unparalleled excitement into which all England was thrown, the bold act of Massachusetts, in establishing its own system of law, escaped without notice. The code then adopted by the General Court was not the form prepared by the Rev. Mr.

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Cotton, and called by him "A Model of Moses his Judicials, compiled in an exact method," the provisions of which are mainly taken from the Old Testament, and which bore this very appropriate motto from Isaiah: — "Jehovah is our Judge, Jehovah is our Lawgiver, Jehovah is our King; He will save us." Notwithstanding the theocratic principles of our forefathers, they had too much sagacity not to perceive, that the Jewish law, as a whole, was inappropriate to their situation, and insufficient for their wants. They quietly put Mr. Cotton's code on the shelf, and adopted the far more judicious system, called *The Body of Liberties*, devised and compiled by Mr. Nathaniel Ward, minister of the church in Ipswich, but formerly a practitioner of law in England. Thus he united clerical and legal learning, as qualifications for his task; and his work remained the foundation of the jurisprudence of New England for half a century, the larger portion of it being copied into all the digests and codes that were subsequently framed, and Connecticut borrowing nearly the whole of it soon after its publication. As to its merits, we do but copy the opinion expressed by high legal authority,* in saying that, —

"It exhibits throughout the hand of the practised lawyer, familiar with the principles and the securities of English liberty; and although it retains some traces of the times, it is, in the main, far in advance of them, and, in several respects, in advance of the Common Law of England at this day. It shows that our ancestors, instead of deducing all their laws from the Books of Moses, established at the outset a code of fundamental principles, which, taken as a whole, for wisdom, equity, adaptation to the wants of their community, and a liberality of sentiment superior to the age in which it was written, may fearlessly challenge a comparison with any similar production, from Magna Charta itself to the latest Bill of Rights that has been put forth in Europe or America."

The general character of the one hundred comprehensive principles of law that form the Body of Liberties is sufficiently indicated by the first one on the list, in which may be perceived the influence of the generous maxims of the Great

* Hon. F. C. Gray, in *Mass. Hist. Coll.* 3d Series. vol. viii.

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Charter and the Common Law, modified by the particular reverence for the Word of God, which was the characteristic feature of the country and age.

"No man's life shall be taken away, no man's honor or good name shall be stained, no man's person shall be arrested, restrained, banished, dismembered, nor any ways punished, no man shall be deprived of his wife or children, no man's goods or estate shall be taken away, nor any way indamaged, under color of law or countenance of authority, unless it be by virtue or equity of some express law of the country warranting the same, established by a General Court, and sufficiently published; or, in case of the defect of the law in any particular case, by the Word of God. And in capital cases, or in cases concerning dismembering or banishment, according to that Word to be judged by the General Court."

We find no reason to doubt that the government of Massachusetts was faithfully administered according to the spirit of this broad and excellent provision of law both before and after its enactment. Great allowance should be made for the circumstances in which the Colony was placed, and for the temper which was created in the people by the ardor of their religious faith, and by their sudden emancipation from the apprehensions and restraints to which they were subject while in the mother land. A restless spirit, an excess of zeal, an impatience of any control, and a "conscientious contentious" disposition were widely manifested in Massachusetts from the beginning. We can discern enough that must have sorely tried the patience of the magistrates, before they resorted to any decisive measures for ridding themselves of the evil. Weeds and brambles sprang up fast in that little spot in the wilderness, which they had hoped to fence in and cultivate with jealous care as a peculiar garden for their God. Wheelwright and Mrs. Hutchinson in Boston, Roger Williams and Mr. Endicott, in Salem, Mary Dyer and her Quaker brothers and sisters, broached heresies which were as subversive of just authority in government, as they were shocking to orthodoxy in religion. We are wont to blame the magistrates of those days for drawing the reins too tight, for governing over much, for the prying and inquisitorial manner in which they regulated private conduct and belief. But we do not enough

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consider the difficulties of their position, and the vehement and intractable character of the religious enthusiasts whom they governed. It is easy for the stable government of a populous and flourishing state, at the present time, to disregard the senseless proceedings of the hot-headed few, who bellow forth doctrines at war with all religious belief and all the institutions of society. Such extravagances make no impression on the good sense of the bulk of the community, and the authors of them are sufficiently punished by contemptuous neglect. But it was otherwise when a few hundred Puritans, over two centuries ago, formed their feeble and isolated settlements in the wilderness, surrounded by savage foes, and thousands of miles from any effectual aid. *They* could not afford to disregard Antinomian heresies and Fifth Monarchy views of government. When the Pequod war was on the eve of breaking out, half of the citizens of Boston had to be disarmed before the decided will of the majority could be carried out, by banishing from the Colony a fanatical female preacher, who denounced most of the clergymen and magistrates as being under a covenant of works, — which, in the language of those days, implied that they were possessed of the devil, — and who taught that the Holy Ghost dwelt personally in those justified saints who thundered out these terrible anathemas.

We cannot feel much sympathy even for the case of the illustrious founder of Rhode Island. Those who have fully examined the case of Roger Williams may well doubt which of the two parties to it was the persecutor, and which the persecuted. This excellent man, but hot-headed controversialist, began by excommunicating his own church at Salem, because they refused to excommunicate all the other churches, who had not yet repented of the deadly sin of having once conformed to the Church of England; and he continued by excommunicating his own wife because she remained in communion with the church of which he had been pastor. For some time, he would neither say grace or return thanks at his own table, if this poor unregenerate woman, as he called her, was present at it. True, he was the first to proclaim the doctrine of universal religious toleration; — a very natural dogma

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for one who stood absolutely alone in his opinions, and who excommunicated all the world for refusing to join him. But the most dangerous offence which he gave was in persuading Mr. Endicot to cut the cross out of the king's colors, — an unpardonable insult to the government at home, on which the Colonists depended for toleration, if not for protection; and which they instructed Mr. Downing, in England, to explain away, as the act of an individual, so that it might not operate to their injury. Williams also denied the rights of the Colonists to the lands which they held, saying that they belonged to the Indians, and that King James told a lie when he affirmed that the country became the property of the crown by right of discovery. After vainly expostulating with him for months, we cannot see that it argued any great want of charity on the part of the magistrates to give the preacher of these mad doctrines notice, that, within six weeks, he must leave their jurisdiction. He had to travel only forty miles in order to get out of it.

But we had no intention of entering at so much length upon an apology for the fathers of Massachusetts. We do not believe, indeed, that their conduct or their principles stand in any need of an apology, though some unfounded strictures upon their policy have been so frequently repeated that they seem to have affected even the fair and candid mind of the editor of these volumes. It is hazardous to differ from Mr. Savage on any point relating to the early history of New England; but we must avow our conviction that he has often judged the conduct of Winthrop and his colleagues a little too harshly. Perhaps an honest and firm purpose not to yield to any undue partiality for the writer of the work upon which he has bestowed so much loving toil, has unconsciously hurried his mind into the opposite extreme. Perhaps, also, his judgment was a little warped by the fact that, among those who suffered from the rigid policy of the early governors of New England, were some whom he is deservedly proud to claim as his own ancestors. But when the essential facts of the history are not disputed, his candor will readily forgive those who have arrived at different conclusions respecting the judgment that is to be passed upon them; and he will even

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pardon us if we have not spoken with befitting respect of the theological and political opinions of his seven-times-great-grandmother. For our own part, the study of every authentic record of the sayings and the doings of these men only increases our admiration of the prudence and the statesmanship, as well as the uprightness, the self-denial, and the piety with which they governed their little commonwealth, and laid the foundations of the present character and present prosperity of New England.

ART. IV. — *Memorials and Correspondence of* CHARLES JAMES FOX. Edited by the RT. HON. LORD JOHN RUSSELL, M. P. Philadelphia, Blanchard & Lea. 1853. 2 vols. 12mo.

"THERE is not a better man in England than Lord John Russell; but his worst failure is, that he is utterly ignorant of all moral fear; there is nothing he would not undertake. I believe he would perform the operation for the stone, build St. Peter's, or assume (with or without ten minutes' notice) the command of the Channel fleet; and no one would discover, from his manner, that the patient had died, the church tumbled down, and the Channel fleet been knocked to atoms." * The witty Canon of St. Paul's, whose own versatility was hardly less than that which he has here so epigrammatically described, would have beheld with astonishment the literary freaks of the many-sided Premier; for the experience of the last year enables us to say that he would undertake, with alacrity, to write the Life or edit the Correspondence of any man in England, from the Duke of Wellington down to Joseph Grimaldi; and from any light that Lord John would condescend to throw upon the subject, an uninformed reader would be left to guess which of his victims penetrated the columns of Marmont at Salamanca, and which nightly amused her Majesty's subjects at Astley's.

There are many things which the distinguished politician who edits this compilation has done exceedingly well; but

* Sidney Smith's *Second Letter to Archbishop Singleton.*

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there are some things he certainly has done equally ill. He is Jack the Giant-killer, who was active in the slaughter of the kindred monsters of Rotten-borough and Corn-law; but he is also "the little boy who chalked 'No Popery' on Cardinal Wiseman's door, and then ran away." (*Vide* Punch.) If he was not so sanguine as to anticipate, with the impulsive Brougham, that every peasant in England would, through the potent influences of the Society for the Diffusion of Useful Knowledge, be educated to understand Bacon, he has done all that one man can do to realize the hope of William Cobbett, that every poor man in the realm might have bacon to eat. Unfortunately, however, Lord John's administrative career was cut short by the accession of the Conservatives to power; and during the brief interval for which they retained it, the public were presented with the Life and Correspondence of Moore, and the Memorials and Correspondence of Fox, as the fruits of the Ex-Premier's leisure.

The former of these two productions has been already noticed in this Review, and we allude to it again only to compare it with Lord John's more recent effort. It was not entirely the editor's fault that that work gave so little satisfaction; for it was Moore's misfortune that he had nothing better to do than to keep a Diary, in which he had the indiscretion to chronicle the very smallest of beer; — good and bad, "poor Tom" set it all down, very little in malice, and nothing extenuating. How sorry he was to leave his darling Bessie — how delighted he was to be invited to sing his pretty melodies before applauding peers and lovely Right Honorables — his little griefs and his great joys — his dinners, and his "ices at Tortoni's." (Moore's journal, while at Paris, is as full of allusions to "ices," as if it had been originally kept on papyrus, and written in hieroglyphics, by a religiously-inclined gentleman of Thebes, some five hundred years before the invasion of Cambyses.) The bard of Erin, we fear, would have prized more highly the connection of his name with that of a scion of the House of Bedford, than all the laurels that fashion and taste have placed upon the brow of him who sang that more than Elysian transit through the Valley of Cashmere.

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But the case is far different with the papers of Charles Fox. The descendant of Henri-Quatre and Charles I., and, more than that, the great liberal statesman of the reign of George III., had nothing to gain from an aristocratic editor. The readers of history had a right to expect that, whenever it should be convenient or proper to publish the life or correspondence of one who had so great an influence upon the politics of his times, the work should be done finally and completely; and surely it was worth doing well. Now, the volumes before us we regard as emphatically a work of supererogation; for the continuous narrative of the life of Fox is reserved, by the editor's own confession, for a future historian. Then why did he not leave to him, also, the entire correspondence, with such annotations only as the late Lord Holland might see fit to make upon the papers of his distinguished relative? Here, however, we have four editors at once, Lord Holland, Lord John Russell, Horace Walpole, and Mr. Allen, inserting into the correspondence of a great statesman every kind of annotation, relative and irrelative; and it is announced that these are but the crude materials out of which some enterprising gentleman, in the next century, perhaps, is to elaborate a complete history. We include Horace Walpole among these editors, for he is made by the other three to figure as such; and, as nearly as we can ascertain, his share of the work is larger than that of all the others put together. If the noble editor, under whose name the mass is now published, found the papers bequeathed to him by Lady Holland in a more hopelessly chaotic condition than he has left them in, we can readily forgive him for not having better accomplished his task; but he certainly should have rendered at least the darkness visible, instead of superimposing a little chaos of his own. It is not from incapacity that Lord John has failed again; for, many years ago, he published the comparatively uninteresting Life of his ancestor, Lord William Russell, which was a respectable addition to a sort of literature quite fashionable in England, — the political history of the aristocracy.

If it was a mistake to intrust so important a matter to one who could give so little attention to it as the adroit leader of

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an always active and watchful political party, we cannot but consider it a still greater mistake, that so delicate a task was left to the discretion of so thorough a partisan. The vice of almost all English history is the spirit of faction which pervades it. An event, whether it may have occurred twenty years ago or two hundred, is not judged by its abstract merits, but by the preponderance of Whig or Tory influence which it manifests; and the virulence of the attack upon measures and persons is not often diminished by distance. For example; in a recent history treating mainly of the accession of William of Orange to the English throne, individuals and classes who, conscientiously, as they thought, opposed the revolution, are pursued with a vindictiveness often amounting to scurrility; while some of the great families who brought it about, and who would, for similar motives, have invited over the Cham of Tartary, are lauded with a minuteness and tawdriness of panegyric that would be ridiculous even in one of Mrs. Gore's novels. But if it is unreasonable to expect fairness in a partisan historian, it certainly is not so to require of an editor that he shall not obscure, if he cannot illumine, his subject. We challenge any man to find, in these volumes, where he would naturally expect to find it, any thing for which such works are commonly consulted, or to discover, without constant perplexity, which of the four annotators happens to be elucidating a given point; and we think that those familiar with English history, during the space which these two volumes cover, will agree with us in the conclusion, that, apart from the correspondence itself, there is nothing told here which has not been better told before; that the student will find nothing in them that he cannot more readily find elsewhere; that, in the common authorities for the period, he will hardly find any thing less to his purpose than what these gentlemen have been pleased to insert; and, if the object of each *quasi* editor has been only to mystify the reader, that Lord John has triumphed *à merveille* over his three predecessors.

The family of Charles James Fox, on his father's side, was of recent nobility. Stephen Fox, Master of the Horse to Charles II., was of humble birth; but he became a member of Parliament and a Baronet. His daughters, by his first

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wife, married into noble families; and his sons, by his second, became Baron Ilchester and Baron Holland. Their descendants have risen to a still higher rank in the peerage, and the titles are now Earl of Ilchester and Viscount Holland. On his mother's side, Charles Fox inherited the blood of the royal families of France and of England. Henry Fox, second son of Sir Stephen, married Lady Georgiana Caroline, eldest daughter of the second Duke of Richmond. Charles James Fox was his third son, and was born January 24 (13), 1749. That he was rather a precocious boy is shown in many incidents which his biographers relate. Fell says, that when Charles was only eight years old, he went one evening into his father's library, where the Secretary of State was copying despatches. Taking one of them from the table, Charles read it, and with an expression of dissatisfaction, tossed it into the fire; and his father wrote another, without any remark. It is mentioned in this work, on the authority of Sir G. Colebrook, that "Mr. Fox's children were to receive no contradiction. Having promised Charles that he should be present when a garden wall was to be flung down, and having forgotten it, the wall was built up again that he might perform his promise." When Charles was but fourteen years old, he travelled with his father on the Continent; and it is said that Lord Holland allowed his son five guineas a night at Spa to gamble with. If this is true, we can have very little compassion for the father when he was afterwards obliged to pay £140,000 for his son's debts of honor. Singularly enough, we find Charles writing, a year or two later, to his friend Sir George Macartney, — "I hear there is very deep play at St. Petersburg; I hope that will not tempt you to break your resolution against gaming." He was the favorite child. Lord Holland, writing to Lady Caroline, says, on one occasion, "I got to Holland House at seven, found all the boys well; but, to say the truth, took most notice of Charles. I never saw him better or more merry." "I will not deny," says Mr. Fox himself, "that I was a very sensible little boy, and what I heard made an impression upon me, and was of use to me afterwards." At the age of nine, he was brought up from Eton to be present at the coronation of

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George III. A few years afterwards, the Duke of Devonshire writes to Lord Holland, "Commend me to your son Charles, for his sagacity." A strong expression from a grave man, as the editor remarks, in a grave letter about a lad scarcely fourteen years old.

After he had spent four months of idleness, or as we have seen, of something worse than idleness, on the Continent, Charles returned, at his own desire, to Eton. Fresh as he was from the brilliant society of France and Germany, he was but ill-treated by the boys, and not much better by the master. After six months, his father went down to hear him speak, and took him back to London, to hear the debates in Parliament upon the publications of the notorious Wilkes. He was present when the House of Commons voted the 45th number of the North Briton "a false, scandalous, and seditious libel," and could hardly have failed to become strengthened in prejudices which showed themselves soon after he took his seat in the House, but which he spent a lifetime in atoning for and combating in others. In a letter which he wrote to Sir George Macartney, we find an allusion to a poem which is familiar to millions who have never heard of the great statesman himself. "If there were any way of sending you pamphlets, I would send you a new poem, called the 'Traveller,' which appears to me to have a great deal of merit." Time, after all, is a leveller; for one cannot be said to know any thing of English literature if he has not studied Oliver Goldsmith, while any man may be pardoned for knowing little or nothing of the "Holland connection."

There seems to be a difference of opinion as to Mr. Fox's scholarship. Lord John Russell, of course, is willing to allow his hero all the merit on that account which he deserves. But the truth is, that without being a pedant, Charles Fox was a scholar. He had but an indifferent opinion of the value of classical studies; and yet one of his biographers tells us, that a clergyman, eminent for his knowledge of Greek, one day maintained that a particular verse in the Iliad could not be genuine, because the measure did not conform to the Homeric stanza; when Mr. Fox, who had taken no part in the discussion, immediately recited twenty verses from the

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Iliad in the identical measure. Our own conclusion from this incident would be, that, so far from establishing Mr. Fox's claim to scholarship, the anecdote only invalidates effectually that of his clerical friend. In a letter, written at the age of sixteen, from which we have already quoted, he says, "I read here much, and like vastly what I know you think useless, mathematics. I believe they are useful, and I am sure they are entertaining, [shade of Euclid!] which is alone enough to recommend them to me." Having expressed the opinion that "to a man who reads a great deal, there cannot be a more agreeable place than Oxford," he adds: —

"To tell you the truth, I have read a great deal since you left England, and have learnt nothing. I employed almost my whole time at Oxford in the mathematical and classical knowledge, but more particularly in the latter, so that I understand Latin and Greek tolerably well. I am totally ignorant in every part of useful knowledge. I am more convinced every day how little advantage there is in being what at school and the University is called a good scholar; one receives a good deal of amusement from it, but that is all. At present I read nothing but Italian, which I am immoderately fond of, particularly of the poetry. You, who understand Italian so well yourself, will not at all wonder at this. As to French, I am far from being so thorough a master of it as I could wish; but I know so much of it that I could perfect myself in it at any time with very little trouble, especially if I pass three or four months in France."

It is very certain that his knowledge of French was both extensive and accurate. In his fifteenth year, he wrote a poem in French, of some twenty-four lines, which not only shows his familiarity with the language, but indicates the very early age at which he reflected on important political questions.

Whatever Mr. Fox undertook to do, he endeavored to do well. To qualify himself for the useful art of carving, he was accustomed to lay his book of instructions upon the table, and to study the science by actual practice upon the "subject;" and later in life, when Secretary of State, piqued at an observation upon the badness of his writing, he took lessons in chirography, and wrote copies like a school-boy. When living in the country, he devoted him-

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self to the practical work of a gardener; and being once asked, in mature life, how, though grown so corpulent, he continued to pick up the "cut balls" at tennis so well, he replied, "because I am a very painstaking man."

That elegant recreation, which, while it may be elevated to a study, is tasteful merely as an amusement, conventionally styled "private theatricals," was with Mr. Fox, in his younger days, a passion. The father of the late Lord Holland, who died before the first Lord, built a theatre at his country-house at Winterslow, chiefly at the instigation of his brother Charles, who divided the Thespian laurels with Lady Mary Fox and her brother, Richard Fitzpatrick. Charles and Richard were nearly equal as to merit; in tragedy, they took alternately the principal parts; and if Mr. Fox was, upon the whole, preferred in tragedy, Fitzpatrick carried away the palm in genteel comedy. Mr. Fox had read at Oxford a prodigious number of plays. He and his friend Dickson, afterwards Bishop of Down, studied very hard, and their only relaxation consisted in reading together the early dramatic poets of England, spending most of their evenings for this purpose at a bookseller's shop. Mr. Fox said afterwards, that there was no play extant, written and published before the Restoration, that he had not read attentively. His letters frequently show how well stored was his mind with quotations, and it is unquestionably owing to his proficiency in acting, and to his knowledge of plays, that his oratory was so effective, and his expressions so felicitous. The year before he entered Parliament, he addressed a "professional" letter to Mr. Fitzpatrick, the following extract from which will show how deeply he interested himself in the subject: —

"Your letter has put me in mind of acting, and made me extremely eager for some more plays; though, to tell you the truth, the last time I acted I fell very short of my own expectations. However, my spirit is not entirely broken; but I will avoid appearing in any very conspicuous part, if possible. Your sister is a very good actress. Lady Sarah's fame is well known. Ste* acted extremely well in the comedy; in the tragedy, he did not know his part. Carlisle is not an excellent actor, but will make a very useful one. Dickson acted

* Stephen Fox, his brother.

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the small part he had in the tragedy very ill, chiefly, I believe, from carelessness. He acted one or two scenes in the comedy inimitably, and all well. He will be of great use to us. Peter Brodie is the best manager-prompter in the world. We want another actor or two, but much more another actress. There are very few comedies that do not require above two women. You may tell my brother I can get two actors for him — one goodish, the other badish. I have so bad a taste as to differ from you very much about the French stage. I allow the French actors to be much better than ours; but I think our plays are infinitely better. Here at Florence, the people are clever at every other species of writing imaginable but the dramatic. All Italian plays are imitations, either of Greek, Latin, or French ones; but if the Italians are, in this respect, inferior to the French, English, &c., they are fully revenged in every other. For God's sake, learn Italian as fast as you can, if it be only to read Ariosto. There is more good poetry in Italian than in all other languages that I understand put together. Make haste and read all these things, that you may be fit to talk to Christians."

We intended to give an extract from one of the interlocutions, (or whatever they may be called,) containing a rather coarse description of Mr. Fox's personal appearance, as he sat in bed in the middle of the day, unkempt and unshorn, holding a levee of his political and social friends. But we have searched for it in vain; and as it is impossible, through the ingenious device of the editor for puzzling the reader, to find any thing, without a careful examination of every page in the book separately, we must leave those who may be curious in the matter, to hunt it up for themselves. In the mean time, we may be pardoned for transcribing a more agreeable picture from the autobiography of that egotistical, but genial old gossip, Leigh Hunt:—

"Some years later, I saw Mr. Pitt in a blue coat, buckskin breeches, and boots, and a round hat, with powder and pigtail. He was thin and gaunt, with his hat off his forehead, and his nose in the air. Later still, I saw Mr. Fox, fat and jovial, though he was then declining. He who had been a 'beau' in his youth, then looked something Quaker-like in his dress, with plain colored clothes, a broad round hat, and, if I am not mistaken, white stockings. He was standing in Parliament street, just where the street commences as you leave Whitehall; and was making two young gentlemen laugh heartily at something he seemed to be relating."

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The biographer, Fell, describes him in his younger days as being an extravagant beau, and a leader of the fashion, distinguished among the dandies for the fineness of his Parisian velvet, and the splendor of his red heels. He said of himself once, that, "if he did not return like Charles II., with all the vices of the Continent, his wardrobe contained all its fashions." We shall have little to say of the private life of Mr. Fox, or of his domestic circumstances, as these volumes rarely allude to either. There were strangely mingled in him, however, the elements of the statesman and the man of pleasure; the vindictiveness and acerbity which characterized the public men of his country and age, and that sweetness of disposition, the distinguishing trait of his family, which made him the "Dear Charles" of all his friends, not excepting his hardly creditable acquaintance, the Prince of Wales, afterwards George IV.; which made him the best loved, as he had other traits which made him the best abused, man of his time.

Before we come to speak of the political career of Charles Fox, it may be well to mention two, at least, of his contemporaries, with whom Americans, as well as himself, have had most to do, — the King of England, and his confidant and minister, Lord North.

George III. was the central sun about whom revolved the lesser luminaries and their satellites, bound on their courses by the laws of place and power, peerage and pension, — laws as resistless as those of gravitation itself. He was neither the wisest nor the best of men; but he should be judged only by comparison. He certainly was not a very wise man; but, compared with his two immediate predecessors, neither of whom knew, or cared to know, the language or the customs of the country which, for reasons they could hardly comprehend, they had mysteriously been called upon to govern, — the wisdom of George III. was that of Solomon. His enemies maintained that he was not a very good man; but, compared with his son and successor, his virtues appear transcendent: for in every vice for which Englishmen should have hated him, in every meanness for which any gentleman should have shunned him, in every sin for the commission of which the humblest of the human race may look down with con-

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tempt upon the proudest descendant of the Crusaders, he who was called the first gentleman in his realm, George Frederick of Brunswick, Prince of Wales, Prince Regent and King of England, could lay his hand among the ribbons and stars on his breast, and say truly that his peer was not among the inhabitants of earth. George III. was both a tyrant and a meddler; but he was made so by the force of circumstances. He was a tyrant, because he cared little for the country over which he reigned, except so far as the preservation of its territory added to his own dignity. His whole career, however, showed that he felt himself not dependent upon the English crown for his happiness. He frequently threatened to abdicate, and he never forgot that, while he was king of England, he was also a German elector. The descendant of Azo and Cunegunde could hardly have felt much interest in the selfish intrigues of the mostly new nobility which surrounded him. He was a proficient in the etiquette of a court, and he would have much preferred the liberty of tyranny in his hereditary kingdom of Hanover, to being bound down by the craftiness of men he hardly knew. He was obstinate and cruel in his tyranny; that the descendants of those who had once been Englishmen might be beaten and humbled, men were dragged from their wives and children and homes among the sunny vineyards of the Rhine, and *sold*, to be transported to a new world they had never heard of, to fight there, side by side, with the scalping and torturing savages of the north-west, whom a more fiendish barbarism than their own had let loose upon defenceless women and children. He was a meddler, and very often a ridiculous one; but he meddled because he fancied he saw misgovernment where he did not interfere; and he was very apt to regard that only as misgovernment which tended to thwart his own despotic views.

The favorite of the King, at the commencement of Mr. Fox's political career, was Lord North, the eldest son of the Earl of Guilford, who was the Queen's Chamberlain. It has been the fashion to speak of this minister as the author and abettor of the American war; while the truth is, that the war had no more honest opponent than Lord North. At the same time, he must continue to be held responsible, by Americans,

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for some of the cruelties of the war, and by Englishmen, for most of its miscarriages. Beloved and trusted by his King, an enemy to no man, to no body or nation of men, on earth, he repeatedly requested permission to resign, on account of his difference of opinion with the King upon the matter of the American war, and of his unwillingness to adopt the only measures which would satisfy the imperious and relentless nature of his royal master. But the King invariably refused to dispense with his services; for George III. had not many sincere friends among the aristocracy, and he had the sagacity to see that the hearty good nature, the perfect imperturbability, of Lord North was much to his purpose. All the blandishments of royal favor were employed to keep him in his place, and the good-natured nobleman yielded. He sacrificed, in so yielding, the interests of the foreign colonies to the demands of his King, to the policy of his party, and, we blush to say, to the passions of his nation; and by a persistance in measures which were not only unjust but inefficient, he alienated those colonies, and made them independent of all three,—King, Tories, and Mob. Lord North was not inimical to America; yet he believed, with the entire body of his countrymen, in an abstract and inalienable right of the government of Great Britain to include taxation of the colonies among the attributes of sovereignty. In America, the question was determined without an argument; we thought taxation unjust and oppressive, and we prepared to resist it. It was the colonists more than the English who had fought the elder Pitt's battles on the Ohio, while Prussia fought them on the Main; it was men like George Washington who had made America too hot for France, and we had not learned the art of war in vain.

It is a melancholy, but now an unquestioned truth, that the American war, thus undertaken to please the King, and so ill conducted by the ministers, was popular among nearly all classes in England. The national vanity rejected the idea that the Yankees could ever prove a match for those disciplined troops, in whose invincible prowess and valor they religiously believed. They could not think that the great empire on which the "sun never set," and which had become so prosperous through its almost annual "annexations," could

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ever be dismembered. But our trans-Atlantic brethren soon learned some unpalatable truths. The opinions held among the English people, relative to the American war, prove that popular wars are not more likely than others to have right and justice on their side, and also that they are not more likely than others to succeed. The English press advocated the war, and it has hardly ever been more insulting or mendacious than it was then. The country gentlemen uniformly supported the ministry, as they were bound to do, because American taxation was devised that they might be relieved from taxes upon their lands; and all those who were likely to be influenced by the landed gentry, especially the great body of the clergy, applauded and justified the war. We had but few friends in the "mother country," for our fathers were not among those whom our mother delighted to honor. Many of those who indirectly helped us most, did so less because they loved America, than because they hated the King and his ministers. Among these, we fear, we must rank Lord Chatham, in spite of his eloquent speeches on behalf of the colonies, and especially that most impassioned invective against the employment of savages in the war, which will be spoken for many years yet by American school-boys. Alas for human nature! Lord Chatham's philanthropy did not include Frenchmen, and he is charged with being the first civilized man who ever resorted to the barbarity which he then denounced. But we fortunately had a few real and indefatigable friends, both in and out of Parliament, though we best know and honor those who never failed to speak for us, as well as to denounce our enemies. The names of Burke, of Barré, Conway, Pownall, and others, will ever be dear to the hearts of Americans; and deserving of the highest place in the affections of a grateful people is the memory of Charles James Fox.

The political career of Mr. Fox cannot be said to have commenced till the year 1774, though he could hardly have been an indifferent spectator of the events which occurred during the earlier years of his life. "Pert and argumentative," he must have mingled in the discussions of the day; and, indeed, the very earliest of his letters indicate the tendency of his mind toward politics. He had entered Parliament at the

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age of nineteen, having been returned by the borough of Midhurst, on the 10th of May, 1768. He was then on the side of the government; his second speech was in support of the expulsion of Wilkes, and his third on the petition against the return of Colonel Luttrel for Middlesex. His elder brother spoke also on the same side, and Horace Walpole says of the two, "Stephen Fox indecently and indiscreetly said, 'Wilkes had been chosen by the scum of the earth;' Charles Fox, with infinite superiority in parts, was not inferior to his brother in insolence." It is hardly necessary to state that Lord Holland bought the borough of Midhurst, and that Mr. Fox came in as a supporter of the government, which he appears to have been till he resigned his office as one of the Lords of the Admiralty, to which he had been appointed February 24, 1770. He held this office only two years, retiring because he fancied Lord North did not treat him with the confidence and attention he used to, and also because he had determined to vote against the Royal Marriage Bill, which, as a place-holder, he would be ashamed to do. This bill was originated by George III. himself; it was forced upon his ministers against their will, and all in either House who voted against it incurred his implacable resentment. After Mr. Fox's resignation, in 1772, there was a motion in the House for expunging thanks to Dr. Nowell for a sermon vindicating Charles I., which was carried by a vote of nearly four to one. General Keppel, Colonel Fitzroy, and Charles Fox, all descendants of Charles I., voted against the sermon, as did many of the courtiers; among them, Jeremiah Dyson, who said, "If King Charles's grandsons vote against it, sure I may." In May, 1772, Mr. Fox's Marriage Bill, which he introduced so handsomely as to elicit the highest praise from Horace Walpole, and had then neglected, was thrown out without a debate, by a vote of 93 to 34. The bill removed all restraints upon marriage, except the single one of a register. In December of this year, a new disposition of places was made, and Mr. Fox was appointed a Lord of the Treasury.

The year that elapsed between Mr. Fox's retirement from the Admiralty, and his acceptance of an office in the Treasury, was more favorable to the development of his liberalism,

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than it proved to be to his private morality. He indulged more than ever in his passion for play; and this, with the ensuing years, was the period of his greatest losses. But he also contrived to break away from the pernicious influences of his father's political example and instruction. The first Lord Holland started in life as a needy political adventurer. He attached himself warmly to Sir Robert Walpole, and had added to the audacity of his nature the corruption and the harshness which characterized that minister's policy. But he was now sinking under disease and depression of spirits; and Charles had begun to outgrow that blind adherence to the paternal dogmas which his affectionate disposition had hitherto seemed to require. He had, moreover, thrown off the shackles of office; and though he shortly resumed them, he had braced his mind to an independent use of its faculties, and had contracted friendships with many who afterwards nobly seconded his efforts in behalf of civil liberty and concession.

During Mr. Fox's second connection with the government, he appears to have done little, till the final affair which caused his dismission by Lord North. In the debates in East India affairs, he took a violent part against Lord Clive, whom he described as "the origin of all plunders and the source of all robbery." At the beginning of the year 1774, a gross attack was made, in the "Public Advertiser," upon the Speaker, Sir Fletcher Norton, for partiality in a certain matter that had been before the House. The Speaker, at the next meeting of the House, called upon certain members to acquit him of partiality, which was done, and the orders of the day were called for. This would have ended the matter; but a few members thought this a proper time to assert the honor of the House against the insolence of the press. Taunts and recriminations passed between the two parties, and finally, Mr. Woodfall, the printer, was summoned to the bar, where he made a satisfactory explanation and apology. His conduct greatly softened the House; but Mr. Fox, who had become fairly roused, injudiciously insisted upon committing the printer to Newgate. Lord North vacillated; he had pledged himself to Mr. Fox, and was yet inclined to milder measures. The motion for imprisonment was defeated, and Lord North compromised the

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matter by making his friends vote with the majority, while he kept his word by personally voting with Mr. Fox's minority. The King was highly incensed at the course taken by Mr. Fox, and wrote to Lord North, "Indeed, that young man has so thoroughly cast off every principle of common honor and honesty, that he must become as contemptible as he is odious." And again, a week later, he says, "I think Mr. Charles Fox would have acted more becoming to you and himself, if he had absented himself from the House; for his conduct is not to be attributed to conscience, but to his aversion to all restraints." These instigations had the desired effect; and on the 24th of February, Mr. Fox was dismissed by Lord North.

Mr. Fox was now twenty-five years old, a man of the world, a scholar, and a statesman. He had embarked on a political career which ended only with his death. We have seen his own preparation for it; let us now look at the position in which he found his country. His father had long been a leader in the contentions and the diplomacy of a former reign, and had intended that Charles should succeed to his command, and his instructions commenced almost with boyhood.

First in the long series of wars and of diplomatic intrigue, the young Charles must have contemplated the great game which his country had played, with a move now upon the plains of Germany, and now in the wilds of the New World. It had commenced before he was born; and what was virtually the same contest was at its height when he died; its relations and consequences influenced both his administrations. The grandson of that Margrave of Brandenburgh, who had created a Kingdom out of the little Duchy of Prussia, had added to the fame and to the crimes of his family by robbing the lovely daughter of Charles VI. of one of the oldest of the possessions of the house of Hapsburgh. The consequences of that crime have scarcely yet ceased to be felt. Through the mediation of England, Maria Theresa bought off Frederic by the relinquishment of Silesia, and then drove his allies from her territory. After sixteen years of smothered revenge, she had intrigued successfully with the Court of Versailles, and had engaged the House of Bourbon in a new scheme of alliance and policy. Then really commenced those memora-

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ble struggles, which continued till the French Revolution changed the currents of political strife, and united all the monarchies of Europe against itself. Frederic was forced to begin that seven-years' war, at whose close he found himself the greatest warrior that the continent of Europe had known since the reign of Charlemagne, and it has known but *one* greater since. He had at first been aided, and at last deserted, by England; and it was when he found himself dependent on his own nearly exhausted resources, and when the circle of his enemies was hemming him in, that he achieved the title of GREAT. The "upstart of Brandenburgh" had thrust himself into the company of kings, and they found themselves not strong enough to contend with their new rival. The treaty of Hubertsburgh confirmed Frederic in the possession of Silesia, and the separate peace of Paris between England and France had temporarily ended the contest between these hereditary enemies.

Among the consequences of the seizure of Silesia in 1740 was the war between England and France, which was conducted in the wilds of America. The result of that war was the establishment of a British province in the place of the Canadian possessions of France; and the prophecy was attributed, though falsely, to the Marquis of Montcalm, — that the British colonies, relieved from the dread of France, would no longer manifest the same attachment, or practise an equal submission. It is singular, that, when the prediction came to pass, France should have been first and most efficient in its assistance to the colonies.

In 1765, the riots in opposition to the Stamp Act took place at Boston. Parliament met in January, 1766, and the famous debate took place on the right to tax America. Mr. Pitt (Lord Chatham) advised that the Stamp Act should be absolutely, totally, and immediately repealed, and that the reason be assigned that it was founded on an erroneous principle. "At the same time," he added, "let the sovereign authority of this country over the colonies be asserted in as strong terms as can be devised, and be made to extend to every kind of legislation whatsoever: That we may bind their trade, confine their manufactures, and exercise every power whatsoever, except

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only that of taking their money from their pockets without their own consent." Shortly after the repeal of the Stamp Act, the Chancellor of the Exchequer, having proposed the renewal of a four-shilling land-tax, was defeated, and the tax reduced to three shillings in the pound. The ministry, upon this defeat, neither resigned nor retrenched. In an evil hour, it was proposed to levy a duty on tea in American ports, and the colonies then denied entirely the right of taxation. They were the more provoked to this, because, after Lord North's accession, the East India Company, in view of the large accumulation of tea in England, had offered to pay sixpence per pound export duty, if the government would remit the duty of threepence, which was to be raised in America; but the ministry were more anxious to maintain the right than to increase the revenue, and refused. It is not necessary to lay before American readers any further account of the struggle which ensued; a single point only deserves notice here.

It is well known that the colonists were much encouraged to persevere by the letters which Dr. Franklin addressed to the patriots in Massachusetts, while residing in London. From his shrewd survey of the state of parties, he assured his countrymen, if they were firm, that they had nothing to apprehend. Moreover, through his acquaintance with Mr. John Temple, he was permitted to see and to copy some letters, which had been addressed by Governor Hutchinson and by Mr. Oliver to Mr. Thomas Whately, Under-Secretary of State. These letters he transmitted to the General Assembly of Massachusetts, whose agent he was. The Assembly voted, 101 to 5, that these letters were designed to subvert the constitution, and petitioned the King to remove the obnoxious officers; the petition was transmitted to Franklin for presentation.

When the matter came before the Committee of the Privy Council, Wedderburne, the Solicitor-General of the Crown, waiving the proper subject of discussion, levelled the bitterest invective against Franklin, whom he denounced as *homo trium literarum*, a cant Roman expression for "fur," a thief. "This wily American," said he, "has forfeited all the respect of societies and men. Into what company will he hereafter go with an unembarrassed face, or the honest intrepidity of

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virtue? Men will watch him with a jealous eye, and hide their papers from him. He will hereafter esteem it a libel to be called a man of *letters*." The Privy Council, with the exception of Lord North, applauded this scurrility with laughter and noisy assent; they reported that the petition was founded on false and erroneous allegations, and declared it to be "groundless, vexatious, and scandalous." Two days afterwards, Lord North dismissed Franklin from his post of Deputy-Postmaster.

For the important aid and encouragement that Franklin afforded his countrymen, he is hardly entitled to the gratitude of the English nation or government; but we question the ground upon which Lord John presumes to call him a not very sincere or upright man. The letters he was shown contained statements which he knew to be utterly false, and doctrines which he considered pernicious to the interests of his country; they misrepresented the public men and the people, both of which classes he fully understood, and their tendency was to delude the ministry into taking still more obnoxious steps, to say nothing of persisting in their old follies. Matters were already come to that stage when it was of the last importance to the colonies that there should be no traitors among them. His conduct is justifiable on every principle of duty to his country, which is the highest duty of a diplomatic agent. He was in London, not as the friend of Mr. Temple, but of the colonies; he violated no private friendship, but he performed a public duty. It certainly will not be denied, that when war exists, the belligerent parties are entitled to every advantage to be gained by the interception of despatches. If war did not already exist, it was all but inevitable, and these letters were, in every practical sense, despatches. They were from Colonial Governors to a Secretary of State, upon the matter of the government of a province. Moreover, it does not appear that Franklin did any thing more than to transmit copies which had been put into his possession. If any thing were wanting to show how absurd are the accusations against Franklin's sense of honor, and with how little grace such an accusation comes from across the Atlantic, we can refer to the exultation with which Sir Archibald Alison mentions the

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"*Golden Key*" with which England became acquainted with the secrets of Courts and Treaties during the wars consequent upon the French Revolution.

Charles Fox brought his talents and eloquence to the aid of the opposition to Lord North's ministry; and we shall but briefly glance at his resistance to the policy of the crown, till he succeeded at last in ending the war by his own accession to office. His votes were uniformly in favor of the colonies. He thought that the power of restoring the port of Boston ought to be with the Parliament, and not with the Crown; and with his brother, he voted to repeal the duty on tea. In 1775, he moved to amend the Address to the King in such a way as to omit its substance; but the motion was lost, and the original Address, which began the war, was carried by a vote of 304 to 105. He soon succeeded in gaining his family connections over to the opposition; among them was Lord Ossory, an Irish peer.

The surrender of Burgoyne, at Saratoga, rendered the independence of the States next to certain: the negotiations at Paris between the American Commissioners and the French ministry soon ripened into a formal treaty, and France acknowledged the Declaration of 1776.* This was a most mortifying blow to the ministers, and it still farther exasperated the opposition; it could not fail to increase Mr. Fox's jealousy of the House of Bourbon, a feeling which developed itself so strongly afterwards, when he was in office. The abuse of the ministers was carried to the greatest lengths; but fortunately or unfortunately, Lord North never lost his good humor. On one occasion, Charles Fox attacked him for having called himself an unfortunate minister, and proved that all the disgrace had happened by ignorance, blunders, and misconduct, — not by misfortune. Lord North answered with some humor; and as

*Referring to the Declaration of Independence, Lord John mentions the fact that every thing offensive to the people of England was carefully struck out of it, and quotes the words of Jefferson, "The pusillanimous idea that we had friends in England worth keeping terms with, still haunted the minds of many;" and he adds, "the omission of these passages warp the truth of this memorable Declaration. George III. appears in it as a single and despotic tyrant; the fact was, that the Sovereign and his people were alike prejudiced, angry, and wilful." This goes to support what we have already said as to the *popularity* of the war.

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Mr. Fox had accused him of idleness, and of listening to flatterers, he replied that he spent a great deal of his time in that House, which certainly was not idleness, and he heard while there a great deal of language which could hardly be called flattery. In March, 1778, there was an attempt to negotiate a new administration, in which Mr. Fox was to be prominent; but the negotiations failed. One of the proposed measures was to repeal all the American acts, but to adopt measures of force against France. In 1780, the correspondence of the King evinces a persistent desire of Lord North to retire, and the same resolute will of the King to continue the American war, and to maintain Lord North in office, as the most convenient tool for that purpose. He writes to him, "I am conscious if you will resolve with spirit to continue in your present employment, that with the assistance of a new Parliament, I shall be able to keep the present Constitution in its pristine lustre. You must be the judge whether you can honorably desert me when infallible ruin must ensue." The "infallible ruin" was American independence. The next year, the strength of the opposition was increased by the talents of the younger Pitt, who was destined to play so distinguished a part in opposition to all his early friends and predilections. It is remarkable that, of these two rivals, Mr. Fox commenced life by supporting a tory government, but soon changed to the widest liberalism; while Mr. Pitt began in opposition, but retained office almost all his life, and also wholly abandoned the liberal views he started with. Mr. Fox heartily congratulated his young rival upon the success of his first speech, and even Lord North said it was the best *first* speech he ever heard. The young men in the opposition made a considerable figure; among them were Sheridan and John Townsend.

The beginning of the year 1782 found the ministry tottering. Arrangements were making for inquiry into certain miscarriages, and among others, a motion was made by the Duke of Richmond to inquire into Lord Rawdon's conduct in executing Hayne. In June, of the previous year, Mr. Fox, in his motion for a committee to consider the American war, had shown, from Lord Cornwallis's last despatches in the Gazette, the utter impossibility of subduing America. Angry alterca-

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tions had arisen in both Houses on the complaints made by the Duke and Mr. Fox, of peculiar severity to American prisoners; and the Lord Advocate Dundas had grossly abused the opposition for supporting rebels. Mr. Fox had been wounded in a duel with Mr. Adam,* the Duke of Richmond was challenged by Lord Rawdon, and Lord Shelburne by Lord Moira; so that there was certainly some ground for the suspicion of the not over-charitable Horace Walpole, that indirect assassination was to be the favorite manœuvre of the instruments of the Court. Though the eloquence of both Fox and Pitt, the latter hardly twenty-three years of age, annoyed the government and increased daily the forces of the opposition, the decisive blow was not struck till February 27, 1782, when General Conway had the immortal honor of moving "to declare the purpose of subduing the revolting colonies by force, impracticable;" which was carried by a vote of 234 to 215. For Mr. Fox's share in this resolution, he incurred the lasting hatred of the King, who, as we shall see hereafter, during important negotiations, never failed to ascribe to it every difficulty that accident threw in the way of his ministers. In reply to the Address consequent upon this motion, the King sternly and ungraciously told his Commons, that in pursuance of their advice, he should take such measures as should appear to *him* to be most conducive to the restoration of harmony between Great Britain and the revolted colonies. On the 8th of March, Lord John Cavendish introduced four resolutions — the first declaring that the war had cost £100,000,000; the second, stating the losses the country had sustained; the third, affirming that, besides America, Great Britain was at war with France, Spain, and Holland; and the fourth, that all this was owing to the want of foresight and ability in the King's ministers, whom he should move to have changed. The intrigue was not yet ripe, however, and the resolutions were rejected by a majority of ten. On the 10th, Lord North declared to the King that he was determined to resign his post. On the 15th, the same resolutions were again

* After the triumph of the Westminster Election, Mr. Adam is mentioned by Sir Nicholas Wraxall as joining with Colonel North, &c., in the ovation paid to Mr. Fox.

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moved, but the ministers had a majority of nine, although the Prince of Wales was more active than ever in the opposition. The King had now made up his mind to abdicate rather than yield, and he wrote to Lord North with regard to the diminished majority, "If things go on as they seem to tend, I shall certainly know what my conscience as well as honor dictates, as the only way left me." Lord North having apparently reiterated his resolution, and remonstrated with his Majesty against such violent measures, he again writes, "Every man must be the sole judge of his own feelings; therefore, whatever you or any man can say has no avail with me." But on the 27th, after the change, he atones for this momentary harshness to so faithful and self-sacrificing a servant as Lord North had been to him. "The effusion of my sorrows has made me say more than I intended; but I ever did, and ever shall, look on you as a friend as well as a faithful servant."

It was intended by the Whigs that the dissolution of the ministry should be recorded formally as the act of the House of Commons, that its disgrace might be the more marked; but they were thwarted by the readiness and the imperturbable good humor of the minister, who was but too happy to be released. A motion of Lord Surrey's for the dismissal of the ministers stood for the 20th of March, and the opposition were anxious that it should come on before the resignation should be officially announced. Only half an hour before he came to the House, Lord North had got permission from the King to announce the resignation of the ministry. He and Lord Surrey rose at the same moment, the object of both was understood. After much clamor and disorder, Mr. Fox moved with great address, as the most regular way of extricating the House from its embarrassment, "that Lord Surrey be now heard." With yet more admirable presence of mind, Lord North at once rose and said, "I rise to speak to that motion," and, as his reason for opposing it, stated his resignation and the dissolution of the ministry. An adjournment took place. The night was bitter cold and snow falling; the members had sent away their carriages, and the ante-room was crowded. But Lord North's carriage was in waiting. Having placed one or two friends in it, who were to accompany him, he

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turned to the triumphant crowd of his bitter enemies, and said good humoredly, "I *have* my carriage. You see, gentlemen, what it is to be in the secret. Good night." Mr. Adam, who dined with him that day, says that the temper of Lord North and of his whole family was remarkably calm, cheerful, and serene.

On the next day, the King sent for Lord Shelburne, but the interview resulted in nothing. Lord Gower, who was then, on account of the nonage of the Duke of Bedford, the head of that connection, was next consulted; but, though not entirely unambitious, he was too indolent or too timid to accept the office of Premier. The Marquis of Rockingham was the next person, as he could bring the largest accession of landed property, nobility, and popularity to the support of government. On the Sunday after the resignation, the King, through Lord Shelburne, offered the administration to Lord Rockingham, refusing however to see him. The list of the Cabinet was immediately prepared by the Marquis, as the condition of his acceptance; and being approved by a large meeting of members of the House of Commons, held in the evening at the house of Mr. Thomas Townsend, it was transmitted by Lord Shelburne, with his own approbation, to the King. The ministry, under which negotiations for peace with America and the powers which had befriended her, took place, was composed as follows: First Lord of the Treasury, Lord Rockingham; Chancellor of the Exchequer, Lord John Cavendish; Secretaries of State, Charles Fox and Lord Shelburne; the remaining members were Admiral Keppel, the Duke of Richmond, the Duke of Grafton, Lord Camden, and General Conway; to which Lord Shelburne subsequently added, without consulting the other ministers, Mr. Dunning, who was created Lord Ashburton, and made Chancellor of the Duchy of Lancaster, with an additional salary during life. Lord Thurlow was retained as Chancellor, for the reason, as Horace Walpole thinks, that his talents were too considerable to be driven into opposition. The preliminaries were all arranged by Lord Shelburne, and it was not till the 27th that Lord Rockingham was admitted to an audience with the King, and accepted the administration. Its inauguration shadowed forth its fate; and

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there soon appeared the reasons for Mr. Fox's remark to his colleague, Lord Shelburne, "that he perceived this administration was to consist of two parts, one belonging to the King, the other to the public."

Omitting the usual squabbling for peerages and salaries, and postponing for the present Mr. Fox's views in his foreign policy, with regard to the increasing influence of the French Court, especially as he developed these views more fully when he accepted office for the second time, we find the next topic of interest in these volumes to be the Negotiation for Peace at Paris with the American Commissioners. Dr. Franklin having addressed a private letter to Lord Shelburne, with whom he had been acquainted in England, expressing a desire for a general peace, Lord Shelburne, as Secretary of State, despatched Mr. Oswald to the Doctor, describing him as a "pacifical man, and conversant in those negotiations which are most beneficial to mankind, and preferred on that account to any speculative friends or to any persons of higher rank." Now the truth is notorious, that our highly respectable mother was ashamed to send a "person of quality" to negotiate with the plainly-dressed and equally plain-spoken agents of the republic. But let any one compare the knowledge of the world, the firmness, dignity, and, we are proud to say, superior tact, of Franklin, Adams, Jay, and Laurens, (with the advantage they had of the friendship of a court and a people preëminent for an admiration of talent under whatever circumstances,) with the uncertain, vacillating, querulous approaches of Messrs. Oswald and Grenville, who, while ostensibly seeking the same object, constantly endeavored to undermine each other's influence, one as agent of Lord Shelburne to Dr. Franklin, the other as agent of Mr. Fox to the Count de Vergennes.

Dr. Franklin was much pleased with Mr. Oswald, and sent him back to Lord Shelburne with a letter, stating that he wished to have no other communication with his lordship than through Mr. Oswald. One of the editorial corps, *apropos* of this, remarks, "The truth is, Dr. Franklin very quickly discovered that Mr. Oswald was a simple-minded, well-meaning man, on whom he could make the impression he chose, and

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he desired to have no other negotiator to deal with." Now in his letter to Secretary Livingston, which we find in vol. vii. of Mr. Sparks's edition of the Diplomatic Correspondence of the Revolution, dated from Paris Nov. 16, 1782, Dr. Franklin thus alludes to the agents of the English ministry: —

"The English have sent Mr. Oswald, who is a very wise and good man, and, if untrammelled, would soon settle all; and Mr. Strachey, who is a keen and subtle one, although not deeply versed in such things; and a Mr. Roberts, who is a clerk in the Board of Trade, and Mr. Whithead, who is private secretary to Mr. Oswald. These gentlemen are very profuse in their professions of national friendship, of earnest desires to obliterate the remembrance of all unkindness, and to restore peace, harmony, friendship, and make them perpetual, by removing every seed of future discord. All this, on the part of Mr. Oswald personally, is very sincere. On the part of the nation, it may be so, at present; but I have my doubts as to whether it is a national disposition upon which we can have much dependence, and still more, whether it is the sincere intention of the Earl of Shelburne."

Mr. Adams also was of the opinion that Lord Shelburne desired only to keep matters in abeyance, in the hope that something would occur to excuse another campaign in America. It certainly is singular that the Earl, who was the King's friend in the Cabinet, should have been almost the only person in England willing to cede the Canadas to the United States; and there is only one other hypothesis that appears at all rational, — namely, that George III., thwarted by the Commons, who theoretically represent the nation, in the personal matter of his prerogative over the American Colonies, hardly cared how much he disgraced, by the dismemberment of its territory, a nation whose crown on three several occasions he spurned.

However this may be, Mr. Oswald returned to Paris with authority from the British government to settle with Dr. Franklin, at Paris, the most convenient time for setting on foot a negotiation for a general peace, upon the basis of independence to America and the restoration of Great Britain to the situation she was placed in by the treaty of 1763; and Mr. Thomas Grenville being accredited to the Count de Ver-

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gennes, the double negotiation commenced. The position taken by America was honorable and firm. On the 22d of November, 1777, Congress resolved that "all proposals of a treaty between the King of Great Britain, or any of his commissioners, and the United States, inconsistent with the independence of the States, or with such treaties or alliances as may be formed under their authority, will be rejected by Congress." In April, of the following year, Congress *unanimously resolved*, "that these United States cannot, with propriety, hold any conference or treaty with any commissioners on the part of Great Britain, unless they shall, as a preliminary thereto, either withdraw their fleets and armies, or else, in positive and express terms, acknowledge the independence of the said States." The American Commissioners rested upon this ground, and demanded no other. Whatever may have been the amount of sincerity in Lord Shelburne's willingness to cede the Canadas, it is certain that, the next year, when the definitive treaties were signed, England was everywhere a loser. She had yielded in full the question of Irish legislation at home, and abroad she gave up the fruits of conquest in former wars. Without an ally in the political world, without a friend on the face of the habitable globe, her own existence depended on the grace and skill of a passive diplomacy. Catherine of Russia took an active share in the great Confederation against her absurd maritime pretensions, founded upon the accident of a naval supremacy. Frederic flew into a passion whenever the name of his former ally was mentioned. The unhappy Marie Antoinette had bound together, in a seemingly indissoluble connection, the Bourbons and the Cesars. England was obliged to make cessions of territory in almost every quarter of the globe; she irrevocably lost Minorca, Florida, Senegal, and Goree; and the thirteen colonies, with their almost illimitable territory, passed out of her hands. Yet America claimed nothing but her independence. America, whose prowess, in its very infancy, had stopped the aggressions of French adventurers, and wrung from their country territorial indemnification, generously yielded every thing but the glory of having placed a new nation among the great powers of the earth. The de-

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scendants of the Puritans had long enough been involved in the contentions of Europe, and it was the wisdom of the Commissioners that left us untrammelled by European connections.

We are inclined to think, upon the whole, that Lord Shelburne was not sincere in his proposition for the cession of the Canadas. For Mr. Fox, who was sincerely in favor of our independence, and who had steadily opposed every stage of the war, was startled when the matter was broached to him by Mr. Oswald; and, notwithstanding the disadvantageous condition of England when the treaties were signed, the American Commissioners were too wise to insist upon an acquisition which might, after all, at that time, have proved embarrassing, if not dangerous. A material difference of opinion existed between the Earl and Mr. Fox, relative to the instructions which had been sent to the diplomatic agents at Paris. The minute of the Cabinet authorized Mr. Grenville "to propose the independence of America in the first instance, instead of making it the condition of a general treaty." Mr. Fox maintained that this was virtually a complete, final, and absolute recognition of American independence; and he intended to make the words clear and explicit to that effect. Lord Shelburne, however, contended that only a conditional recognition was meant, depending on the conclusion of a general treaty; and if peace were not effected, England and America would stand in the same relations as before the commencement of negotiations. This, with some indications of further designs for the reduction of the Colonies, alarmed Mr. Fox, who justly regarded Lord Shelburne's interpretation as laying the ground for renewed attempts, if France and Spain could not be brought to reasonable terms. Having been outvoted on the question, he informed his colleagues of his intention to resign. An event occurred, however, soon after he had expressed this determination, which threw the Cabinet into still greater confusion; this was the death of the Marquis of Rockingham.

On the day after Lord Rockingham's death, Lord Shelburne informed his colleagues that he had been requested by his Majesty to accept the Treasury; an announcement very

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distasteful to the Whigs, who thought that a political friend of the Marquis only should have succeeded him. The Whigs out of office were for resisting the appointment of Lord Shelburne; those in office naturally hesitated. Mr. Fox, however, was firm; he told the King, that, in order to secure the support of those whom he considered the firmest friends of his Majesty's government, some person must be appointed in whom they had confidence. The King answered that the Treasury seemed naturally to devolve upon Lord Shelburne, for whom he had originally intended it. Mr. Fox replied that he did not consider Lord Shelburne as answering the description he had given; he therefore resigned the seals, upon the ground that the appointment of Lord Shelburne was a departure from the principles upon which he had accepted office.

Deserted by Mr. Fox, distrusted by a part of his colleagues, relying solely upon the King, and consulting none of his Cabinet but young William Pitt, Lord Shelburne was not long in making his administration exceedingly unpopular. The Duke of Richmond became dissatisfied; and, as soon as it was evident that Lord North and Mr. Fox were united in a determination to break down the ministry, its fate was no longer uncertain. On the 20th of February, 1783, the Duke of Grafton resigned the privy seal; on the 21st, Lord John Cavendish, for the purpose of whitewashing Lord North, made a motion in the House for censuring the peace, which was carried. None of the supplies for the year were voted; and, on the 23d, Lord Shelburne called a Cabinet, and in the evening assembled his adherents, at both which meetings he announced his intention of resigning his post. On the day of Lord Shelburne's resignation, the Duke of Portland, designed by the united factions as the ostensible minister, entreated the Duke of Richmond to stay in his place and unite with his friends, who would have all the power, as Lord North would have but a single place in the Cabinet. The Duke thanked him, but made the honorable reply, "That he could not see his name standing to so many protests against Lord North, and consent to act with him." Evident as was the fate of the ministry, it was not so clear who were to be its successors.

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Mr. Pitt offered to unite with Lord North's *friends*, provided they would renounce all connection with a man so stigmatized by failure and disgrace; a proposition they indignantly rejected. On the other hand, Mr. Pitt drew himself up when Mr. Fox informed him he would have nothing to do where Lord Shelburne was concerned.

In the mean time, Lord North and Mr. Fox had met, at the house of George North, on Friday, the 14th of February, and arranged the preliminaries, agreeing to lay aside all former animosity, Mr. Fox declaring that he hoped their administration would be founded on mutual good-will and confidence, which was the only thing that could make it permanent and useful. This meeting did not long remain a secret; the very next day, efforts were made to bring about an interview between Lord North and Lord Shelburne. Lord North said, "I cannot meet Lord Shelburne now — it is too late." Those friends of Mr. Fox who had joined Lord Shelburne's administration, were filled with dismay, while Lord North's ministerial friends admitted that he had been shamefully used, but lamented the step he had taken.

Four days after Lord Shelburne's resignation, Mr. Pitt agreed to take the government, upon the assurance of some of his friends that Lord North would not be active in opposition; but reflecting upon the improbability of such a statement, he declined on the same day, by the advice of Lord Shelburne, or, as Horace Walpole says, because the King very drily and ungraciously offered it to him. His resolution was well taken; he probably foresaw that the coalition would fare ill enough, if it were permitted to run its own course. There were two factions to provide offices for, and the probable rapacity of the victors would undoubtedly furnish matter for the opposition to increase and consolidate its strength. Besides, Mr. Pitt would have only stood in the place of Lord Shelburne; the majority of the Commons were opposed to him, and would not be likely to vote the supplies.

The King, of course, was furious at the overthrow of his ministry, and at the prospect that he would be thrown into the hands of a man whom he hated with a rancor bordering, as Lord Brougham says, upon insanity. Meeting Lord

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North's father, the Earl of Guilford, he exclaimed, wringing his hands, "Did I ever think, my Lord Guilford, that Lord North would have delivered me up in this manner to Mr. Fox!" He tried every way to avoid submitting to take the Duke of Portland and Mr. Fox as his ministers; and finally told the Lord Advocate that, sooner than yield, he would "go to Hanover," and the Queen actually consented to accompany him. Five years before, he had threatened the same thing; and he had, on one occasion, kept the royal yacht in waiting a fortnight for that purpose, saying, "if the people will not stand by me, they shall have another King; for I never will set my hand to what will make me miserable to the last hour of my life." The King, however, was compelled to accept the ministry dictated by the coalition, and, by the inflexible determination of Mr. Fox, to put the great seal in commission. The persons so ungraciously admitted to his councils were, — the Duke of Portland, as First Lord of the Treasury, Lord North and Mr. Fox, as Secretaries of State, and Lords Stormont, Carlisle, John Cavendish, and Keppel. It is creditable to Mr. Fox, that, in spite of his debts and distresses, neither in the arrangement of this administration, any more than that with Lord Rockingham, did he ever suggest, claim, or accept any office, pension, or reversion which could repair his broken fortunes.

The first object of importance which occupied the attention of the new ministry was the suggestion and favorite measure of the Duke of Portland, to make the large grant of £100,000 *per annum* to the Prince of Wales. The proposition was opposed by the King through mere hatred and jealousy, and so fiercely that there was reason to fear that it would break up the ministry. Mr. Fox generously incurred the odium, both at the Court and in public, of supporting the grant, advising the Prince to abstain from all indecent canvass, and to discountenance the tale-bearing and slander to which the Prince's society, or, as Lord Holland adds, "to speak more openly, the Prince's nature," had so manifest a tendency. The King obtained the equivocal triumph of thwarting both his ministers and his son, though he supplied the loss to the latter by giving him £50,000 a-year from his own civil list.

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Not much was gained, upon the whole, as it afterward appeared that the Prince had actually spent £120,000 a-year ever since he came of age, and Parliament had to make up the deficit. The artifice resorted to, to procure the payment of his debts, will be hereafter noticed.

The grand objects of Mr. Fox's foreign policy were the same that he had attempted to compass during the brief period of Lord Rockingham's administration, — the completion of the work of peace by a definitive treaty, and the establishment of a European system to balance the vast influence which the House of Bourbon was acquiring upon the Continent. With regard to the first, the Count de Vergennes could not but view with distrust a person who had been elevated to office by means of a vote of censure upon a treaty whose preliminaries he had negotiated with his predecessor. He had also to contend with the animosity of the King, who never lost an opportuity to reproach him with the vote of the House of Commons for discontinuing the American war; there was, too, a suspicion that a secret correspondence was carried on between the Court and the English opposition, an opposition of which the King himself was the life and soul. There were, moreover, symptoms that the American agents, originally full of confidence in Mr. Fox, were more reserved in their intercourse, from a very natural apprehension that the influence of Lord North would prevent any effectual or permanent reconciliation.

The successful intervention of the Courts of Versailles and Madrid in the American Revolution, the recent marriage of the heir to the French throne with the daughter of Maria Theresa and Francis, and the Family Compact of the Bourbons certainly tended to give that House an overshadowing influence which might well excite the jealousy of an English statesman. Mr. Fox looked toward the Northern powers for aid in a countervailing confederation; but Frederic was too old and too cunning to be caught, and the ambitious and far-sighted Catherine had ulterior views of her own. The fact has a peculiar interest just now, that the price which England was willing to pay Russia for the *prestige* of her alliance, was her own interest in the existence of the Turkish empire. At that

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time, France was opposed to the absorption of Turkey by the semichristianized barbarians of the North, and attempted a negotiation with England to prevent it. In August, 1783, the French ambassador pressed Mr. Fox upon the subject of Turkish affairs, which fact, we are sorry to say, the ministry advised the King to betray at once to the Court of St. Petersburg, to get the good will of the Empress. Mr. Fox writes to his ambassador at Paris, the Duke of Manchester, "I hope and trust the French will be sufficiently mortified by the reception of their remonstrance (for such it was) at St. Petersburg, and I flatter myself they will have still more reason to be so before the end of the business. Mr. D'Adhemar told me, some time since, that they should make a manifesto, complaining of the Empress's injustice, and of his most Christian Majesty not being seconded by other powers in his endeavors to prevent it. I hope to God they will do this, for I think nothing can make them so truly ridiculous." The King, in this matter, was induced to coincide with Mr. Fox; he had spoken of the Russian manifesto with much ill-humor and resentment, and intimated some degree of apprehension of being drawn into taking part with the Empress; but, upon Lord North's submitting to him the impolicy of joining France in opposition to Russia, he very readily concurred with him, and said, "that would be going a great deal too far." Mr. Fox writes in September to the Duke of Manchester, that he should think that "the stand taken by France against Russian aggression in the East ought to furnish the ministry with some opportunity of forming a league to balance the Family Compact;" and that, "in this article of a continental alliance, as a balance to the House of Bourbon, consists, as your Grace knows, the whole of my foreign politics." We cannot account for Mr. Fox's very illiberal conduct on this occasion, except upon the supposition that his jealousy of the Bourbons blinded him to every thing else. He had no opportunity of carrying out his views, and we doubt if he could have ultimately succeeded. The policy of forming alliances, terminable at her own pleasure, is one that any nation will find but temporarily successful. Bad as the Family Compact was, it could not have been worse than the confederation by

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which England proposed to offset it; and only a few years later, all southern Europe, and England herself, looked on with powerless indignation at the partition of Poland between the Northern powers.

We take a few extracts from these volumes which will interest American readers; they refer to his Majesty's sensibility on a certain subject, and to the proposition to give presents to the American Commissioners. Mr. Fox writes to the King, August 6th, 1783:—

"Mr. Laurens was yesterday with Mr. Fox, to desire him to take your Majesty's pleasure whether it would be agreeable to your Majesty to receive a Minister from the United States. Mr. Fox, knowing your Majesty's opinion upon this subject from what your Majesty did him the honor to say to him some time since, and feeling that it cannot be an agreeable subject to dwell upon, would have taken upon himself to have answered in the affirmative, if it had not been rather pointedly put to him *to take your Majesty's royal pleasure*."

To which the Royal George most graciously deigns to answer,—

"As to the question whether I wish to receive a Minister from America, I certainly can never express its being agreeable to me; and indeed, I should think it wisest for both parties to have only agents, who can settle any matters of commerce; but so far I cannot help adding, that I shall ever have a bad opinion of any Englishman who would accept of being an accredited Minister for that revolted state, and which certainly cannot for years establish a stable government."

Mr. Fox writes to the Duke of Manchester, August 21, 1783, upon the article of presents:—

"What are we to do with the four Americans? Whatever is given to them must be in money, or at least, not in pictures; and will not one thousand pounds to each be thought a great deal?—I am sorry to say (this is in perfect confidence) that the King's awkwardness upon these little matters relative to the Americans, appeared to me rather to increase than to diminish."

The Duke in answer writes:—

"I have talked with Mr. Hartley in regard to the presents to be given to the American Ministers, and proposed that a couple of 1000*l.* should be given amongst them, which he thought, with me, would be

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very handsome and satisfactory, and has undertaken to mention it in a friendly way to Dr. Franklin."

This matter is entirely new to us: Mr. John Adams, to be sure, in his journal, says that, upon one occasion, Mr. Oswald told him that "the picture" would undoubtedly be given to him; but neither from the correspondence of the Commissioners, nor from any other source, are we able to learn that any presents were received by them. Probably, if the £2000 was divided amongst them, it was devoted to paying their expenses in Paris.

The success Mr. Fox had met with in his settlement of the Irish difficulties, (a matter which we have not space to enlarge upon,) encouraged him to bring forward his celebrated India Bill, which was the signal for the downfall of the coalition. Mr. Fox's bill placed the whole civil and military government of India under a Board of nine members, chosen for four years, and not removable without an address from either House of Parliament. Such a Board would unquestionably be an independent authority in the state, and the opposition took every advantage which sophistry could suggest or the undue influence of the King afford them. It was said that its design was to make the power of a party rival that of the King. In a speech of two hours, Mr. Fox unfolded the plan of the bill, and was gallantly met by Mr. Pitt, who headed the opposition. It was evident the administration must stand or fall by the success of the measure. It was but an equivocal argument in favor of the bill, that, during the debates, news was received from India that Tippoo had captured an entire English army, and was fast recovering the territory that had been wrested from him. The bill passed the House by a fair majority, and it was at this stage that his Majesty conspired with the opposition to defeat his own government.

The recent publication of the Duke of Buckingham upon the Court of George III. discloses the machinery by which Mr. Fox was betrayed and destroyed. Lord Thurlow had very early intimated to the Secretary that an English peerage, of which the Fox family were very desirous for their connection, Lord Ossory, an Irish peer, would be granted if the great seal, which was in commission, were restored to him. But as Lord

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Thurlow would have been a spy in the cabinet, and his presence would only hasten its dissolution, the proposition was declined. Lord Temple, a leader in the opposition, was soon in secret communication with the King, to aid his Majesty in getting rid of the chains which pressed upon him. He advised the King to throw upon his ministers the responsibility of certain public measures, which could not fail to produce dissensions, and upon their resignation, to dissolve the Parliament. With this understanding, when the bill came before the Lords, a paper was placed in the hands of Lord Temple, to the effect that "his Majesty allows Earl Temple to say that whoever voted for the India Bill was not only not his friend, but would be considered by him as an enemy; and if these words were not strong enough, Earl Temple might use whatever words he might deem stronger, and more to the purpose." To this outrage upon the constitution, the Peers quietly succumbed, and the bill was lost. Then Lord North and Mr. Fox, not resigning, were of course dismissed. The latter attempted to overthrow the ministry which succeeded him, upon a final issue between the prerogative of the crown and the privileges of the House of Commons involved in the dissolution of Parliament. But although the House supported him even to the extent of a resolution that the King's name had been unconstitutionally used, it was of no avail. The political influence of Charles Fox was almost irrevocably lost, the Parliament was dissolved, and the general election which ensued determined, for more than forty years, the question of the government of England.

Lord John Russell does not attempt to defend the coalition. Mr. Fox himself, and his friends, averred that success was its only justification; it failed, and they are condemned on the plea of "guilty." The public mind was shocked to find Mr. Fox acting with a man he had so often denounced for ignorance and incapacity, and they had a right to suppose that his denunciations had not been honest. On the other hand, they could not think that the friends of Lord North had been sincere in their frequent, open reprobation of Mr. Fox's scandalous private life, as unfitting him for the service of the state. The coalition was a breach of public morality; the confidence of

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the nation in its leaders was lost; and while the remote consequences of that distrust were incalculably pernicious, no one can regret the personal disgrace that overtook the perpetrators of so great a political fraud.

The events which occurred in the ten years following the overthrow of the coalition ministry are passed hurriedly over. Mr. Fox was, of course, active in opposition. He spoke often in the debates on the Regency question during the temporary incapacity of the sovereign. He opposed the accession of George III. as Elector of Hanover to the German confederation, and he was deceived by a letter from the Prince of Wales into an indignant denial of that person's marriage with Mrs. Fitzherbert, while Parliament was hesitating about the payment of his debts. The correspondence closes at the brink of the French Revolution. The course which Mr. Fox took during that stormy period is well known; but we take leave of him here. The curtain was soon to rise upon a drama more terrible than any in which he had ever acted; it fared ill with humanity, that his part in it could not be that to which his talents entitled him. Had he controlled the action of the English cabinet during the anarchic convulsions of France, it is not too much to say, that the horrors of the contest would have been mainly avoided. But this was not to be; for they who had counselled American coercion had gained over the young champion of liberty, and now counselled the measures which caused most of the atrocities of the intestine and foreign wars of the French Revolution.

ART. V. — *Bleak House.* By CHARLES DICKENS. *With Illustrations by* H. K. BROWNE. London: Bradbury and Evans. New York: Harper and Brothers. 1853.

A HUNDRED years ago, when Richardson and Sterne lent the weight of their example to the new-fangled plan of composing and publishing their fictitious compositions at intervals, some *laudator temporis acti* ill naturedly put forward his prediction that, in process of time, the evil practice would take such root

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that dictionaries would appear in weekly parts, and even the Holy Scriptures themselves find their way into the world in monthly numbers. At the time, this was doubtless treated as an absurd prophecy, or as a singularly poor joke; but our fathers have lived to see it long since fulfilled to the very letter, and, so far as we can judge, with equal convenience to both publisher and purchaser. And the philosophy of the entire success of such a method, apparently so thoroughly discordant with every rule of good writing and pleasant reading, is perhaps very simple. It is a child's knowledge, that a shilling monthly during the year is a sum of much less magnitude than a half-guinea to be paid down on the first day of January; and experience has taught our publishing friends that where a popular book, like Peter Pindar's razor, is made to sell, there is scarcely a more advantageous way of disposing of it than by retailing cheap pennyworths at a time. More or less, to use the old proverb, money burns in the pockets of every body. It is vastly more agreeable, and, to a certain extent, more rational, to invest than to save; to purchase present comfort and future improvement, mental, moral, or physical, than to hoard up for years, through poverty and misery, an objectless little heap of shining counters, the tithe of which would have enabled the poor miser to cheer his own soul or body, or those of another less secretive than himself. A covetous fellow, says that astute peripatetic, honest Mat o' the Mint, like a jackdaw, steals what he was never made to enjoy, for the sake of hiding it; and truly, the feathered "snapper-up of unconsidered trifles," as he gloats over his bits of broken glass and old buttons, secretly buried by the garden wall, is to our mind the happier biped of the two. The gryphon, in the wilderness of Milton, is the best emblem of such a man, "whose only care is to increase his store."

But false as may be the economy of spending twelve shillings *per annum* instead of ten, practice has shown it to be precisely the course most agreeable to "an enlightened public;" and therefore we suppose it will be pursued to the end of the chapter. And really, when a book is already written and complete, there can be but the question of expediency as to whether it shall be published in parts, or all at once and

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entire. 'Drink your wine by the glassful,' says one; 'who would wish to put his mouth to the bottle, and take down the whole at a draught?' To which it may be replied: 'Set the bottle before me, that I may judge for myself of its contents, and drink one glassful, or two, or twenty, just how and when I please, not being compelled, like a sick child, to take a dose of a table-spoonful at a time, once in every hour.' Besides, who desires to pay for a full bottle, and find it one half lees, or with a choice group of tipsy flies overtaken in their cups and lying drowned at the bottom. There is many a book that opens with a note like that of a silver trumpet, with a martial sound, only to sink, some few chapters farther on, into the pitiful squeakings of a penny whistle; and many a reader, who begins a volume "in gladness," does not tarry long to discover, as Wordsworth has it, that

"Thereof comes in the end despondency and madness."

Therefore, on behalf of both reader and writer, we feel compelled to protest against this system of publication, albeit so much in vogue at the present day, in every case where the book is to be written as it comes out. It is unfair to both parties; to the reader it is so, because, after two years' subscription and constant payment, he may find his road end in a perfect slough of despond, and learn, from the author's perversity or pusillity of talent, that the book is of that class which Horace assures us

"Non homines, non Dî, non concessêre columnæ."

Or the writer's death, or his own, may cut short two threads at the same time, and leave him just where poor Yorick was left, on the giving out of the Notary's manuscript. And what can be more provoking to the reader than such a circumstance as this? We appeal to a candid world, whether its curiosity has not been more stimulated and disappointed by this incident in the Sentimental Journey, than it has been gratified by all the discourse of my Uncle Toby and the trusty Trim? There is an anecdote told of a consumptive novel-reader at Bath, whose "day of life had reached its gloaming," and whose weeks were numbered, who could not die peacefully until he had stated his case to Mr. Richardson, and extracted from him,

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in secret confidence, what was to be the *dénouement* of his half-published novel; — what would be the fate of the virtuous Pamela, when he himself should be scarce less insubstantial than that model heroine. And Milton himself tells us how he longed

> "To call up him who left half told
> The story of Cambuscan bold."

And if there be thus much to complain of on the part of the reader, to such an author as Mr. Dickens, or Mr. Thackeray, the real inconvenience of the present system must, we opine, be far greater. The reader or the book may prematurely die; and, so far as the former is concerned, there is an end of the whole matter. His griefs live not after him. But the book is the author's pledge to immortality. When once a man hath printed and published, there is no longer any safety in saying, "Go to, I will die and be buried with my fathers, and be forgotten. The places that knew me shall know me no more, and my name shall no longer be heard among the children of men!" He may not hope so to escape from the just judgment of the world. The evil that men do, we are told, lives after them; and of the host of living authors, we sadly fear, the majority of their works are very evil works. A good book, whether its birth be welcomed or flouted at, will live, despite the world's cold scorn, and all "the slings and arrows of outrageous fortune." Milton and Butler are just as secure in their niches in the Temple of Fame, as if Hudibras or Paradise Lost had been as heartily welcomed by Charles II., or that delightful old humbug, Pepys, as were the platitudes of Shadwel or Nahum Tate. Pepys himself will live; — vastly to his own surprise, no doubt, could his periwigged spirit peer up from the chancel vault of St. Olave's, and see what has been the fate of those secret and most mysteriously enciphered pages, whereon he inscribed the daily peccadilloes and backslidings of all of that little world — *quorum magna pars fuit.* He has done what Alonzo the Wise so censured the neglect of in Nature; he has opened the window in his breast, and we all run like children to a puppetshow, and greedily gaze in and gape at the pitiful spectacle, that is, with more or less variation, perpetually going on behind a curtain

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in every heart around. Nay, even that wretch Tate, who, like some ill-nurtured jay, drowning in his discordant cries the sweet song of Philomel, stood between Dryden and the sun, will live; — even Tate's verses shall be said and sung wherever his native language is spoken the world around, as often as appears the anniversary of that blessed time when

> "As shepherds watched their flocks by night,
> All seated on the ground,
> The Angel of the Lord came down,
> And glory shone around."

So much for any thing good which a man may write; but *væ illi*, if it be of the opposite complexion. Then, in vain does the greengrocer, the cheesemonger, or the all-consuming trunk-maker, interpose his friendly hand to wrap the dishonored head in sweet oblivion. If stupidly, evenly, inexorably dull, without a solitary elevation of thought or sentiment conveyed in the whole volume, there may be a good chance, perhaps, of its sinking quietly, like lead, deep into those black depths "where those who enter leave all hope behind." Yet even then, the bright arrows of Apollo, (albeit the crooked form of Pope, or the warped soul of Byron, conceal the god,) may transfix the luckless fool in his downward flight, and pillory him to the ridicule and scorn of succeeding time. Still does hoarse Fitzgerald bawl his creaking couplets — still are the abashed wolves mute, while Ralph to Cynthia howls, making night hideous — long after the world would have ceased to recollect their very existence, had it not been for the professional friendship of a brother bard. But if there be any predominant trait in the luckless volume, if it should, by any misfortune, in the front of its offending, contain one bright thought, shining like a jewel of gold in a swine's snout, or a single redeeming passage of supereminent folly and inanity, who can say what will not be its destiny? For ages after, it may live to shake the sides and curl the nose of posterity. And, once entitled to rank in a catalogue as "curious and rare," the stanch bibliomaniac, the provident collector, will ensure its preservation forevermore.

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"Unlike the swans, in Tuscan song display'd,
He hovers eager o'er Oblivion's shade,
To snatch obscurest names from endless night,
And give Cokain or Fletcher back to light!"

If such, then, is the unhappy lot of a bad book, even of one which, after every preparation and maturest reflection, its parent had resolved to inflict upon the community, — how much greater must be his danger who proclaims from the housetops the perception of every new thought; who, from almost the first moment that the idea occurs to him, makes every winding in his plot, every detail in his narration, irrevocable? We know that the best of books are frequently materially altered after they are first written; that, for this very reason, an author's first great production is very often his best, because it is more painfully elaborated, and more carefully weeded from each ill-guarded inconsistency or redundancy. The most successful of modern writers has chosen, for the motto to the revised edition of the Lay of the Last Minstrel, these self-condemnatory lines: —

"Dum relego, scripsisse pudet; quia plurima cerno
Me quoque, qui feci, judice, digna lini."

Pope, whom all men but Mr. Bowles concede to have been a master, not only in the *Ars Poetica*, but in that of sound criticism, teaches this to be the most important part of the author's science: —

"The greatest of all arts — the art to blot!"

But, in almost the fullest sense of the term, this fact seems to be entirely ignored by the teachers of the present day. What opportunity of revision can possibly exist in the case of a book published after the fashion of Bleak House? The author himself, we fancy, would be the first person to discover and avail himself of the happy moment, were it ever to occur. Every man of such shining talents as he possesses, must be but too painfully sensible of the manifold blemishes entailed upon his productions from the very nature of their existence, *ex necessitate rei*. Did there ever live an author who could cook up, periodically, a moment of enthusiasm, or call down the divine afflatus regularly, once a month, just as he could order a man to come and cut his corns, or a sweep to cleanse

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his chimneys? When a poet puts his Pegasus in harness; when he stoops to the enforced composition of so many pages *per diem*, he degrades his Muse to "a vile mechanical," and differs but in the amount of his pay and the fancied relative respectability of his occupation from the hand-loom weaver, who produces so many yards of carpet a week, or the penny-a-liner who stands booked for a daily column and a half of local items, whether the same consist of appalling murders, enormous gooseberries, or bicephalous kittens. Whatsoever be his motive, it is in vain to tell us that such a one writes because he is "inspired by the sacred Nine." They come not down from forked Olympus or the pleasant vale of Tempe to do the drudgery of maids of all work, even in the mansion of their most favored votaries. No; let an author proclaim or conceal as he will the real causes that bring him before the world, whether it be the lust of notoriety, or the *sacra auri fames*, whether "obliged by hunger — or request of friends," he makes bold to claim our homage and respectful admiration; but for mercy's sake, do not expect us to believe, that, in these labor-saving days, a substitute for the original article, in the shape of an artifical patented Muse, has been invented at Lowell or Manchester, to go by clock-work, and to strike at so much a day.

It was with no little pleasure that, last winter, we saw Mr. Thackeray, for the first time, we believe, in his life, really seem to take the pains to secure for himself with posterity a position somewhat similar to that he has so well deserved among his contemporaries. We do not say that "Henry Esmond" will be more read, in the year nineteen hundred and fifty-three, than Pendennis, or Vanity Fair; we would not like to risk our reputation for prophecy on the computation of how many readers Mr. Dickens and Mr. Thackeray combined will have at that date; probably, not more in proportion than Fielding and Smollett have now, however. But we do believe that Henry Esmond, as a work of art, is a more meritorious composition than either of its predecessors. The latter will, perhaps, always be the favorites, particularly with posterity, because they offer a true and faithful reflex of the manners of the time. The former, on the contrary, carries us back to the

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days of Robinson Crusoe and the Spectator. In style, in manner, it is a perfect image of the age; but it is a past age. It is but hearsay evidence, after all; it possesses not enough of that indescribable air of truthfulness that distinguishes the recital of an eye-witness. Some of these days, let us hope, Mr. Thackeray will give to the world a work which shall not only combine the experience and the careful art of Henry Esmond, but shall, like Vanity Fair, have its own aim: —

> "The latent tracts, the giddy heights explore,
> Of all who blindly creep or sightless soar;
> Eye Nature's walks, shoot Folly as it flies,
> And catch the manners living as they rise."

There is no great writer living who affords a stronger proof of the danger of disregarding the Horatian maxim — *nocturna versate manu, versate diurna* — than Mr. Dickens. His books bear upon their face abundant evidence of the manner of their composition; all are plainly written *currente calamo*. In any author, we believe this to be an ill-considered habit, but in one of his peculiar mind, it becomes doubly amenable to just criticism. For, to us, it seems that his genius is marked by characteristics so entirely its own, so unlike any thing that we have ever met with in any other, that, considering their effects, we are almost free to consider them in any other regard than as desirable attributes. His mind, we conceive, is essentially deficient in the capacity of taking that broad, philosophical view of his subject, which so eminently distinguishes his great rival and admirer, the author of Vanity Fair. Each has made human folly and weakness the object of his study; each is keen in unfolding to the world the intricacies of the mingled warp and woof of the soul, in pointing out the stains which disfigure the texture, in ridiculing the burlesque or enormous proportions of the pattern, or thrusting a finger — *monstrare digito* — through the holes or rotten places in the fabric. But the one holds the pencil of a Hogarth or a Watteau; the other but wields the graver of Gilray or H. B. Mr. Dickens is, so to speak, only a caricaturist; Mr. Thackeray is a grand social satirist. The former reminds us of one of those toys which we see exhibited in a goldsmith's window, a globular mirror, (generally in the figure of a globe borne upon the shoulders

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of Atlas,) in which the unwary observer is transported with the sight of his own counterfeit resemblance, so unlike as to cause amazement, and so like as to inspire horror and disgust. While one particular feature is preternaturally distorted and exaggerated, the remainder show rather shorn of their fair proportions. The nose, for instance, will grow and swell at once into the bulk and length of that of the hapless Prince Rumpfelstirchen, in the nursery tale; or one eye will expand and expand, till it seems almost the girth of that huge snake whose vast circumference encompasses this earth; whilst every other feature in the face appears to retire back abashed from such an unwholesome vicinity. The latter, on the contrary, opens to us a prospect such as was afforded in the wizard chamber of Cornelius, by the mirror, huge and high, in which are depicted events and persons as they actually exist around us so vividly and naturally, that every one recognizes, or thinks he recognizes, the lineaments of some figure in the group. Let our readers put it to themselves, if this be not so. Who ever knew a Little Nell, or a Dick Swiveller, or a Marchioness? Who can say he believes Sam Weller to be drawn from the life, or Kate Nickleby, or Smike, or Madeline Bray? It is true, they live and move upon the stage as human beings; else, they would be but the marionettes of a puppetshow, pulled with wires,—lay-figures, that would be hooted from the view. Some of them are like the *dramatis personæ* of every tale, endowed with just the requisite qualities necessary to fulfil the duties of that station in life to which it has pleased the author to call them, and then to fall back again into the crowd and be forgotten. But is not each and every one of them, that possesses any marked individuality of its own, evidently a caricature? Does not a vein of the grossest exaggeration attend the exhibition of every characteristic trait that remains impressed upon the memory, when the volume is laid aside? We are told, truly or not, that poor old Leigh Hunt is meant to be shown up, in the character of Mr. Harold Skimpole. Supposing this to be the case, (and we are loath even to suppose such a thing, which we do not believe,) where is the likeness? If there is any, it is but that of a caricature.

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On the other hand, how many of us have known Becky Sharpe; how many ladies have upon their visiting list a Blanche Amory, or an Amelia? Perhaps, however, it is of the softer sex that we are to inquire only for such personages as Annie Raby and Helen; Blanche, and Beatrix, and the little Princesse de Mogador are, after all, most likely to be the discoveries of men, who wisely keep their information to themselves. Go among the clubs; if you meet not Rawdon Crawley, young and old Pen, or Foker, that child of beer, you will certainly encounter their most intimate friends, men who think with their thoughts and talk with their tongues. Lady Jane, and little Fanny, and the true-hearted Laura, — who cannot find their parallels? We do not mean persons who have enacted precisely the same scenes that they have gone through, — who have performed the same feats and said the same things; for that would be an absurdity. But persons of whom our notions chime, with more or less precision, with those we receive from the book; people who would act very much in the same manner, were they placed in similar positions. Take an instance or two, where we can mention names without fear of scandal about Queen Elizabeth. Who does not think now of Mr. John Paul Jefferson Jones, when he reads Mr. Fenimore Cooper's impressions of the *bienséances* of English society, particularly as exemplified at a dinner table? There is not a deed done, or a speech spoken, by the most noble the Marquis of Gaunt, that we have ever heard attributed to the late Lord Hertford; and yet how unanimous has been the identification of his portraiture with the character of that much lamented nobleman and transcendent profligate? Who does not chuckle at the fancied discovery of Croker and Theodore Hook, under the disguises of Mr. Wenham and Mr. Wagg? Barry Lyndon and his unfortunate mistress — who are they but Stoney Bowes and the Countess of Strathmore? But we need not act the cicerone to Mr. Thackeray's portrait-gallery. Any reader, clever with the pencil, may readily illustrate his volumes with numerous sketches from domestic life, and the benefit of the plan would be seen in the fact, that, with the exception of public characters, no two sets of likenesses would at all resemble each other.

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This propensity to infinitely exaggerate noticeable peculiarities, which we have remarked in our author, is by no means the worst fault that is rendered incurable by his method of publication. His style, in point of grammatical construction, is open to endless objection. We do not wish to deal hardly with this blemish — if blemish be the proper phrase to distinguish what almost amounts to a permanent feature.

Facies dicatur, an ulcus ?

Not only the misplacement and improper use of words continually appear, but there is no end of verbs without nominatives, nominatives without verbs, sentences without beginnings, beginnings without ends. Here, like a dog that has lost his master, a luckless pronoun wanders through the page, seeking vainly for the noun to which it refers; there, an adjective is in the extremity of distress, like a ewe looking for its lamb, seeking its mysterious substantive; while, between the twain, a disqualified because disqualifying adverb occupies an entire sentence, with no other part of speech venturing to come between the two periods, — just as we see, at a place of public exhibition, a whole row of people shrink from sitting on the same bench with some improper character, who, having taken her seat thereon, enjoys exclusive possession of it for the rest of the evening.

We will, presently, cite some passages from our author, and then the reader can decide upon the justness of our strictures. However, in regard to this manner of composition and publication, it is all matter for the writer's consideration; it has almost ceased to be such of ours. The public has given the strongest evidence of its approbation; it buys, and continues to buy. The publisher is well pleased, because it pays; the author is not discontented, we suppose, for the same reason. Very well, gentlemen; as the little fishes say in the Arabian tale, if you are satisfied, we are content! But if the author writes in the spirit which he ought to write in, if he seeks for the approbation of posterity as well as the applause of to-day, he is pursuing a wrong course. There can be but one result to it; nothing, bearing such constant and glaring marks of haste and inelegancy, can possibly win, or merit to win, aught but the ill-judging, and often merely tacit, approbation

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which it receives from the crowd, to whose present and immediate appetite it panders. A book may thus please for a day; but the desire will cease to operate, and with it, the unhealthy, meretricious pabulum, that served to gratify but a momentary lust, must cease to please, pass away, and be forgotten. The time will come when Mr. Dickens will find, as Sir Walter Scott did before him, that his powers are on the wane; we do not know that there are not, even now, symptoms of such a state of things; but the time never will come for them to stand on the same shelf with the *chefs d'œuvre* of Sir Walter. The defect in them is fatal. Like fruit stung by a worm, they ripen prematurely; but alas! as Touchstone says, they are rotten before they are ripe. They carry within themselves the seeds of their own decay. They will sink, to say the least, into the same condition that has already befallen those of Sterne; and they will never be read, in after-times, as those of Sterne are to-day; because, with infinitely less talent, they possess even greater eccentricity and exaggeration. Compared, too, to Mr. Dickens's, Sterne's style is terseness itself; — no mean recommendation in reading the works of a half-forgotten author.

And yet there are some exquisite passages in Mr. Dickens's writings; The Old Curiosity Shop and Nicholas Nickleby abound in such. There are some subjects upon which all human hearts feel in like manner; the lives and deaths of little children; the new-made grave; the stern, inevitable barrier thrown between two faithful hearts; — all these things come home to every bosom. Whenever he views matters and things with plain, common-sense eyes, he is natural and affecting; whenever he gets upon his stilts, his fantastic gaits may amuse for a while, but soon they will essentially pall, and then, "good night to Marmion."

We regret that such is the case; we regret that what has so often aroused and interested such a variety of passions in our breast should not continue to be the delight and instruction of succeeding generations. And we doubly regret what we are compelled to consider as the culpable haste, that must constantly prevent the natural exercise of our author's own better judgment. For really, it appears in him to be the pace

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that kills; he is ever upon the full run; there is no time for revision, no chance for sober second thought to correct or modify a bald or incongruous passage. Other writers are often in a hurry; but few others seem to write with such hot haste and recklessness as this one. Perhaps, it is but another exemplification of the old adage about too many irons in the fire, &c. But it is not alone the looseness of his style that we complain of. He too often descends, we fear, from the level of his own dignity, to provoke merriment, — careless, apparently, as the buffoon in the ring, whether he is laughed with or laughed at. We read, and are heartily amused at, the description of the dog Diogenes, with his honest purposes and his inconsistent tail; but what, in the name of Sirius, *is* an "inconsistent tail?" We think many of our author's tales are rather inconsistent; yet they amuse us; we laugh, *et voila tout!* Will posterity laugh? Will it even read? That ought to be the question. When we see Dick Swiveller watching from his bed of sickness the Marchioness at her bi-manual game of cribbage, and hear him cry out, "one for his nob," or "two for his heels," as the case may be, everybody laughs; but how many, on this side of the water, where cribbage is about as much played or understood as pam, ombre, or eighteen-penny tredille, have the least idea of what he means? We laugh from long practice, just as we do when Mr. Merryman enters the ring, with his "Here we are again, sir!" It is not at all funny to us; we know it is not; and yet we laughed then from the force of habit, just as we should do to-morrow, were a similar occasion to occur; just as our fathers laughed at things to us utterly vapid and silly; just as our children, ignoring all our slang catchwords and stale jokes, will continue to laugh at any thing that possesses real wit, and, in their turn, be merry at new cant and fresh fustian of their own. *Ainsi va le monde.* As the doubly-blessed Matilda Pottingen has it, the beef of to-morrow will succeed to the mutton of to-day, as the mutton of to-day succeeded to the veal of yesterday.

We suppose there is hardly one of our readers who is not perfectly familiar with the story of Bleak House. We have therefore refrained from saying any thing about the unravel-

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ling of the plot. So far as that portion of the task is concerned, we think it creditable enough, and that it will compare favorably with the framework of any of the author's previous works. But we desire to substantiate some of the objections urged above to his manner. We will cite the opening lines of the book.

"London. Michaelmas Term lately over, and the Lord Chancellor sitting in Lincoln's Inn Hall. Implacable November weather. As much mud in the streets, as if the waters had but newly retired from the face of the earth, and it would not be wonderful to meet a Megalosaurian, forty feet long or so, waddling like an elephantine lizard up Holborn Hill. Smoke lowering down from chimney-pots, making a soft black drizzle, with flakes of soot in it as big as full-grown snowflakes — gone into mourning, one might imagine, for the death of the sun. Dogs, undistinguishable in mire. Horses, scarcely better; splashed to their very blinkers. Foot passengers jostling one another's umbrellas, in a general infection of ill-temper, and losing their foothold at street-corners, where tens of thousands of other foot passengers have been slipping and sliding since the day broke, (if the day ever broke,) adding new deposits to the crust upon crust of mud, sticking at these points tenaciously to the pavement, and accumulating at compound interest.

"Fog every where. Fog up the river, where it flows among green aits and meadows; fog down the river, where it rolls defiled among the tiers of shipping, and the waterside pollutions of a great (and dirty) city. Fog on the Essex marshes, fog on the Kentish heights. Fog creeping into the cabooses of collier-brigs; fog lying out on the yards and hovering in the rigging of great ships; fog drooping on the gunwales of barges and small boats. Fog in the eyes and throats of ancient Greenwich pensioners, wheezing by the firesides of their wards; fog in the stem and bowl of the afternoon pipe of the wrathful skipper, down in his close cabin; fog cruelly pinching the toes and fingers of his shivering little 'prentice boy on deck. Chance people on the bridges peeping over the parapets into a nether sky of fog, with fog all round them, as if they were up in a balloon, and hanging in the misty clouds.

"Gas looming through the fog in divers places in the streets, much as the sun may, from the spongy fields, be seen to loom by husbandman and plough-boy. Most of the shops lighted two hours before their time — as the gas seems to know, for it has a haggard and unwilling look.

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"The raw afternoon is rawest, and the dense fog is densest, and the muddy streets are muddiest, near that leaden-headed old obstruction, appropriate ornament for a leaden-headed old corporation: Temple Bar. And hard by Temple Bar, in Lincoln's Inn Hall, at the very heart of the fog, sits the Lord High Chancellor in his High Court of Chancery.

"Never can there come fog too thick, never can there come mud and mire too deep, to assort with the groping and floundering condition which this High Court of Chancery, most pestilent of hoary sinners, holds, this day, in the sight of Heaven and Earth."

Nothing that we could have cited will give a more correct idea of Mr. Dickens's manner or his matter than this. It is clever, beyond all doubt; and as it is the first step he makes into his subject, we are bound to suppose that he has essayed to put his best foot foremost, and produce upon the public mind, in the very commencement, an agreeable impression. We believe him to have succeeded; and certainly, it was his duty to endeavor to do so. But, to our eyes, there is an air of slovenliness, or careless indifference about the forms of expression, contained in the preceding extract, that is all wrong. We recollect to have more than once heard it noticed, that, among all the imitations of the writings of popular English novelists that have appeared from the pen of Mr. Thackeray, none of Mr. Dickens has ever been given. There are more reasons than one why this should be the case. With Bulwer, or D'Israeli, or Ainsworth, or James, no one ever thought of comparing the historian of the great Hoggarty Diamond; but of Mr. Dickens he is not only the friend and professed admirer, but the actual rival. It would be in the extremity of bad taste for him to attempt to burlesque, or turn into open ridicule, one to whom he occupies such a position. Nevertheless, it would seem impossible for such a mind as Thackeray's to keep a perpetual restraint upon its workings, and not (doubtlessly unperceived by himself) fall occasionally into the vein of giving a sly hit at the foible of his friend. A volume at our elbow affords an instance in point. It occurs in a description of a combat in which a rider is stricken down, and the steed dashes away masterless.

"Away! aye, away! — away amid the green vineyards and golden

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cornfields; away up the steep mountains, where he frightened the eagles in their eyries; away down the clattering ravines, where the flashing cataracts tumble; away through the dark pine forests, where the hungry wolves are howling; away over the dreary wolds, where the wild wind walks alone; away through the plashing quagmires, where the will-o'-the-wisps slunk, frightened, among the reeds; away through light and darkness, storm and sunshine; away by tower and town, highroad and hamlet. Once a turnpikeman would have detained him; but, ha, ha! he charged the 'pike, and cleared it at a bound. Once the Cologne Diligence stopped the way; he charged the Diligence, he knocked off the cap of the conductor on the roof, and yet galloped wildly, madly, furiously, irresistibly on! Brave horse! gallant steed! panting child of Araby! On went the horse, over mountains, rivers, turnpikes, apple-women; and never stopped until he reached a livery-stable in Cologne, where his master was accustomed to put him up."

It is amusing to see how the palpable imitation, which bursts out so boldly into full flower in the beginning of the above extract, falls into bathos at the end. But who can help feeling regret to behold such talents as each of these authors possess, so often miserably wasted? What would seem more rational than that men, who *can* do so much better, should endeavor to compose in such wise that their books might be the permanent delights of this generation and the next, instead of being but the toy of the moment, to be broken up and thrown away in a half-hour? What shall we say to our sons, when they ask of us the evidences of the fame which we will tell them these authors had in our day? What would Swift or De Foe be rated at now, had Gulliver's Travels or Robinson Crusoe been thus pitched into the world? They might have amused Bolingbroke or Lady Mary; but they would scarcely find a bookseller now enterprising enough to republish them, instead of occupying, as they do, the post of honor in every library.

In point of literary merit, then, we think that Bleak House is a falling off from its predecessors. In fact, ever since Nicholas Nickleby and the Old Curiosity Shop, we are of opinion that Mr. Dickens's works have declined in interest. That they are all clever, is not to be denied: people would not endure the continued jargon in which the tale is told,

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were it not that the mass is leavened by constant sprightliness of thought, and not unfrequently by exhibitions of positive genius. But we greatly fear that the author, for some years past, has had more on his hands than he could properly attend to. What with his editorial connection with the London Daily News, and, later, with Household Words; his Child's History of England; his regular Christmas Stories, and the innumerable calls upon his time and attention at public dinners, dramatic festivals, and every popular occasion of a literary character, we can readily conceive that to prepare, besides, three or four dozen octavo pages, of a complicated novel, monthly, for the press, is almost more than any man can do, and do well. And this, again, involves the whole ground of our complaint; it is, indeed, the *teterrima causa belli.*

There is one feature in Mr. Dickens's novels that, we think, must have struck every reader. It is the ready way in which a refractory character is disposed of, the moment he becomes troublesome. There is no need of resorting to any of those agreeable, but slightly improbable, expedients described in the tales of our childhood, where, by merely clapping one's hands thrice, a genii, or a griffin, or a hundred black slaves clothed in white, bearing jars of jewels on their heads, enter, prepared to fulfil the most preposterous behest. No; the days of Prince Camaralzaman and the Princess of China are gone by forever; our author simply calls in the aid of some of Death's ambassadors extraordinary or ministers plenipotentiary, and, presto! the deed is done. Really, the atmosphere of his books seems to be as unhealthy to any officious personage whom his father's sins, or his own, have thrust into a too prominent position before the public, as that of the Old Bailey Assizes, with Mr. Baron Page, or any other "hanging judge" upon the bench, to the unfortunate wretch to whom a due regard to the commercial and other vested interests of the nation forbids the extension of those hopes of mercy here that he is bidden to seek for hereafter. *Sus. per coll.* runs through every volume, as surely as through the Newgate Calendar. Oliver Twist, the first of the series *suo sponte*, (for the Pickwick Papers are understood to have been originally started but as text to poor Seymour's sketches) favors us

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with the adventurous careers of a bold burglar or twain, and the tragic termination of Messieurs Sykes and Fagin, the one by an unfortunate slip of the noose, the other by the officious assistance of Mr. Calcraft. Besides, we have the murder of poor Nancy, just at the nick of time, when it was impossible to keep her up any longer. For no one can know better than Mr. Dickens, that such a character as that girl's, in her position in the stews of London, was a moral impossibility. Nicholas Nickleby, to use one of his own expressions, "draws it rather mild," and we are spared Tyburn Hill and its attendant horrors; but no sooner does old Ralph find that, by his own misconduct, it is become absolutely necessary, for the peace of his family and the satisfaction of the public, that he should cease to exist, than, without resorting to the humdrum practice of calling in an apothecary and two or three physicians, he jumps at the conclusion, that,

> "What Cato did, and Addison approved,
> Cannot be wrong;"

and, Judas-like, straightway goes and hangs himself. A decent regard, perhaps, to the opinions of mankind compelled him to fulfil the wishes of more than one of the acquaintance introduced to him by Mr. Dickens, that he should die in his shoes; and accordingly, at the critical moment, he is found swinging heavily from a peg behind his own back door. The Old Curiosity Shop has but a death by drowning. But, to make up for this, Barnaby Rudge contains some recondite murders, with a lot of blind assassins, choice felonies, and — oh, rare! a hangman to be hanged on his own gibbet, by way of pendant to the whole. In Martin Chuzzlewit, revolvers and bowie-knives clank pleasantly together in symphony, while the sublime Montague Tigg (and with him all the hopes of the great Anglo-Bengalee Company, porter and all) expires beneath the brutal hand of Mr. Jonas, and the indefatigable Nudgett, — the prototype of the detecting Bucket, — shines out in all his glory, as from one dock to another the murderer is haled away to condign punishment. David Copperfield conforms to the progress of the times. Where Bill Sykes, or the Dodger, would have swung as high as Haman, Mr. Littimer and Uriah Heep are but sent to cheer, with their

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hideous mockery of reformation, one of her majesty's model gaols. The picture, nevertheless, of their immurement, — and, perhaps, it is a wholesome one, — is not spared us. We could well exchange it, though, for some good old-fashioned Bridewell, — such a one as Hogarth paints in the Harlot's Progress, — provided Mr. Justice Creedle, under whose personal care the model convicts are placed, were there to bear them company at pulling the hemp wherewith, perchance, to adorn his own neck, or, Ixion-like, wearily to tread the still revolving mill, with just such a cruel lash at his back as the painter has placed in the hand of the cold-eyed turnkey.

And now, coming to Bleak House, we thought we had supped full on horrors; that the dagger and the bowie had had their day; and that, since capital punishment had been generally abolished for less offences than the taking of human life, we might reasonably hope for a short respite from such ghastly chapters. But, oh, poor human foresight! we not only have a "highly interesting case of murder," (and that, too, of a lawyer, to make the matter more characteristic and personal); but, after all the horrible particulars of the most frightful form of shuffling off this mortal coil that ever entered into the mind of poor sinner, praying on bended knees for Almighty deliverance from battle, murder, and sudden death, we have it all served up to us again, as a *réchauffée*, by the coroner's inquest, and a popular parody of the same, accompanied by Mr. Squills on the piano-forte, at the Sal's Arms, in the evening.

Now, with all due deference to the better judgment of Mr. Dickens and the British public, we must say there is something too much of this. We would not limit an author in making the most of all the paraphernalia with which the imagination surrounds a bloody or mysterious death. When he finds it advisable to put one of his most impracticable subjects out of sight, and finds he cannot do better, by way of working up popular interest to a suitable height, than to knock him on the head or open the jugular, — why, in the name of all that novel-writers revere, let an author do so. Let him even show us, with an awful, solemn air, and with solemn words that thrill us through to our inmost core, (for we all know we like it occasionally, and persist in gloating

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over the page till the candle dies in the socket, and the letters seem swimming before us, and then creep, shiveringly, to bed,) the bloody knife — the spots upon the stair — the gory finger-traces left upon the pillow, pressed down with the weight of that head that shall never press it more — the fair young locks or reverend tresses stiff with clotted, curdled blood, and that blood its own; — but, for decency's sake, let there be a stop somewhere. Let it be remembered that we are not an audience of undertakers or of body-snatchers. We cannot, for month after month, and year after year, with healthy appetites, break our fasts upon such diet. Once or twice may do very well for an example, just as we sometimes, with passive nonresistance, wink at the exercise of Judge Lynch's interpretation of the *lex talionis*, when we are not personally indictable therefor. As an occasional thing, the class of sensations excited by such scenes as we may fairly term unnatural, since they are in violation of all our natural laws, is far from being disagreeable to our palates, morbid it may be, or sated with a more innocent diet. There are periods when the mind craves such excitement; it longs to be led to the ghostly, guilty chamber, where the cup of crime and sin had at last been filled to the brim and overflowed; to stand in the twilight gloom, with heart beating as audibly as the eternal ticking of the great clock, that seems throbbing with the consciousness of the dreadful tale: —

> "The dial spake not, but it made shrewd signs,
> And pointed full upon the stroke of murther;"

to mark the dim spots upon the floor, — spots the like never by it seen before, faint, black, not singular in their appearance, but which at once it knows for blood; to trace by them the dying man's agony, from his bed to the door, "and thence by mazy doubles to the grated casement," there to sink in abject horror beneath the mortal stroke. These are all legitimate matters for the artist's pencil; but the perpetual repetition of such scenes may be well objected to, if merely on the score of good taste, particularly when the brush is laid on coarsely, and the subject in itself not over delicate. It is not fair to ask us to sit tamely by, and see every disagreeable old repro-

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bate's legs knocked from under him in this style, and himself disposed of with all those circumstances of

> "Horrible and awful,
> Which e'en to name would be unlawful,"

which seem now to garnish each bloody dish that is served up to us. We think a daily *post mortem* a very bad whet to one's appetite for dinner.

It will be recollected that, in Bleak House, there is a singular sort of character, — an uncouth, miserly, rusty, drunken old creature, named Krooks, nicknamed by his neighbors the Lord Chancellor. When the proper time arrives for this old toper to drain his last tankard, and go where Toby Tosspot, King Cole, and so many other lusty bibbers have convivially gone before, it would never do to let him make a natural exit from the stage. As his life has been far from pleasant to his fellow-beings, there is a poetical justice in making his death as disagreeable as possible to himself; and, accordingly, since *spontaneous combustion* is generally considered as undesirable in practice as it is unbackneyed in novels, that method of finishing him off is resorted to. In the whole course of our experience in novel-reading, we remember but two other instances. The first is in Jacob Faithful, where the mother of that young waterman vanishes, in a drunken fit, on board of the lighter, leaving nothing behind her (not even a widower, for *he* incontinently jumps overboard, and is drowned in the Thames) but a handful of ashes in the sheet where she was reposing, and a very unsatisfactory smell. The other case occurs in a singularly silly book, called the "Confessions of an Eton Boy," in the last chapter of which a honeymoon is suddenly wound up by the disappearance of "the happiest of men" into the untimely bowels of a blue shark, on the coast of Van Diemen's Land, and the death of the heroine through spontaneous combustion, — and all told with a stern brevity which, considering the circumstances of the case, and how much room there was for describing the peculiarities of their position, is only equalled by the immortal Ingoldsby's *resumé* of the career of a certain little boy,

> "Who ran away on board a ship, and far beyond the seas,
> Got scraped to death with oyster shells, among the Caribbees!"

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Our author, however, is more diffuse than the Eton Boy, in his account of Mr. Kroop's demise.

"Mr. Guppy, sitting on the window-sill, nodding his head and balancing all these possibilities in his mind, continues thoughtfully to tap it, and clasp it, and measure it with his hand, until he hastily draws his hand away. 'What, in the devil's name,' he says, 'is this! Look at my fingers!'

"A thick, yellow liquor defiles them, which is offensive to the touch and sight, and more offensive to the smell. A stagnant, sickening oil, with some natural repulsion in it that makes them both shudder.

"'What have you been doing here? What have you been pouring out of the window?'

"'I pouring out of the window! Nothing, I swear! Never, since I have been here!' cries the lodger.

"And yet look here — and look here! When he brings the candle, here, from the corner of the window-sill, it slowly drips and creeps away down the bricks; here, lies in a little thick nauseous pool.

"'This is a horrible house,' says Mr. Guppy, shutting down the window. 'Give me some water, or I shall cut my hand off.'

"He so washes, and rubs, and scrubs, and smells, and washes, that he has not long restored himself with a glass of brandy, and stood silently before the fire, when St. Paul's bell strikes twelve, and all those other bells strike twelve from their towers of various heights in the dark air, and in their many tones. When all is quiet again, the lodger says: 'It's the appointed time, at last. Shall I go?'

"Mr. Guppy nods, and gives him a 'lucky' touch on the back; but not with the washed hand, though it is his right hand. He goes down stairs; and Mr. Guppy tries to compose himself, before the fire, for waiting a long time. But in no more than a minute or two the stairs creak, and Tony comes swiftly back.

"'Have you got them?'

"'Got them! No. The old man's not there.'

"He has been so horribly frightened in the short interval, that his terror seizes the other, who makes a rush at him, and asks, loudly, 'What's the matter?'

"'I couldn't make him hear, and I softly opened the door and looked in. And the burning smell is there — and the soot is there, and the oil is there — and he is not there!' Tony ends this with a groan.

"Mr. Guppy takes the light. They go down, more dead than alive, and holding one another, push open the door of the back shop. The cat has retreated close to it, and stands snarling — not at them; at

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something on the ground, before the fire. There is very little fire left in the grate, but there is a smouldering, suffocating vapor in the room, and a dark greasy coating on the walls and ceiling. The chairs and table, and the bottle, so rarely absent from the table, all stand as usual. On one chair-back, hang the old man's hairy cap and coat.

"'Look!' whispers the lodger, pointing his friend's attention to these objects, with a trembling finger. 'I told you so. When I saw him last, he took his cap off, took out the little bundle of old letters, hung his cap on the back of the chair — his coat was there already, for he had pulled that off before he went to put the shutters up — and I left him turning the letters over in his hand, standing just where that crumpled black thing is upon the floor.'

"Is he hanging somewhere? They look up. No.

"'See!' whispers Tony. 'At the foot of the same chair, there lies a dirty bit of thin red cord that they tie up pens with. That went round the letters. He undid it slowly, leering and laughing at me, before he began to turn them over, and threw it there. I saw it fall.'

"'What's the matter with the cat?' says Mr. Guppy. 'Look at her!'

"'Mad, I think. And no wonder, in this evil place.'

"They advance slowly, looking at all these things. The cat remains where they found her, still snarling at something on the ground, before the fire and between the two chairs. What is it! Hold up the light!

"Here is a small burnt patch of flooring; here is the tinder from a little bundle of burnt paper, but not so light as usual, seeming to be steeped in something; and here is — is it the cinder of a small charred and broken log of wood sprinkled with white ashes, or is it coal? Oh, horror, he *is* here! and this, from which we run away, striking out the light and overturning one another into the street, is all that represents him.

"Help, help, help! come into this house, for Heaven's sake!

"Plenty will come in, but none can help. The Lord Chancellor of that Court, true to his title in his last act, has died the death of all Lord Chancellors in all Courts, and of all authorities in all places under all names soever, where false pretences are made, and where injustice is done. Call the death by any name your Highness will, attribute it to whom you will, or say it might have been prevented how you will, it is the same death eternally — inborn, inbred, engendered in the corrupted humors of the vicious body itself, and that only — Spontaneous Combustion, and none other of all the deaths that can be died."

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So much for Mr. Dickens, upon spontaneous combustion, concerning which we have a word or two to say. On the appearance of the number of Bleak House containing this account, its unnaturalness was at once proclaimed by some of the London press, and the disease was declared to be even more than an improbability. It was an impossibility; such an outworn theory as should be forthwith exploded,— banished from the text-books of sensible physicians. Mr. Dickens not only defended his position in the papers, but he availed himself of one advantage his mode of publication afforded; — he vindicated it in the next number, and by a sort of back-handed blow, entirely got the advantage of his adversaries, who were compelled to talk out of sight and out of hearing of ninety-nine hundredths of his readers. And as he puts his statements with equal looseness and positiveness, it is as well to endeavor to give in this place a brief glance at the estimation in which the theory of this sort of cases is held by the most competent authorities. It is not an unusual thing in the annals of European jurisprudence, to see a criminal cheating, or seeking to cheat, the gallows, on the hypothesis that the victim encountered death from this cause; and in time with Grisi, Ostend oysters, and other foreign luxuries, the same line of defence may cross the seas, and be put forward here. It is therefore as well to be prepared, betimes, for its reception.

The history of any such scientific subject, not readily susceptible of direct and immediate proof, must always be for a season eminently controversible. We have all, in late years, seen the fact of deaths from *hydrophobia* (speaking in a popular sense) doubted or denied by a large and learned portion of the faculty. Thirty or forty years ago, nobody questioned its reality. The humane practice of clapping the suspected one between two feather beds, and so smothering him, was so common an event in rural practice in England, that, when Sir Vicary Gibbs announced his intention of proceeding, on the part of the crown, criminally against all future participators in this ingenious occupation, he was regarded with disgust by half the old wives in the land. Then for a long while, (as though, when the dogs found there was no

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more feather-bed work to be done, they had given up the trade,) we heard no more of death from hydrophobia. People rarely were bitten by rabid animals; or if they were, it seemed as though

> "The man recovered from the bite:
> The dog it was that died;"

until, at last, a fortunate and unquestionable case occurring in the Hospital at Philadelphia, in the very midst of a terrible show of disagreeing doctors, settled the matter forever. Whether this will be the case with spontaneous combustion, or not, remains to be seen. After an undisturbed reign of a century or more, its legitimacy has, of late, been very shrewdly questioned, and that by men of no little mark. But our readers shall hear for themselves.

Following the strict meaning of the words, we agree with Devergie (*Méd. Lég.* vol. ii. p. 274, and *Ann. d'Hyg. Pub.* vol. 46, p. 383) that there is not on credible record a single case of spontaneous human combustion, — that is, of a combustion partial or entire of the human body, *durante vitâ*, without the aid of ignition from external causes. But in its looser and popular sense, the phrase is usually employed to denote the condition of preternatural susceptibility of the living body to become ignited by foreign assistance, and to be consumed with singular rapidity. As it seems to us that the former ground is generally abandoned as untenable by the most judicious of writers on the subject, (even though they may incline favorably to the other method of putting the case,) we will not devote much space to its consideration. The real battle lies in the possibility or impossibility of the second division of the question; and to it we propose devoting the rest of this paper.

Perhaps this will be the most proper place to note the alleged phenomena that are said to accompany the occurrence of this hideous disorder, in order that our readers may fairly understand the nature of the ensuing remarks. According to Orfila, as quoted by Taylor, (*Med. Jurisp.* p. 255,) and with whom Dr. John Apjohn, in the Cyclopædia of Practical Medicine of Forbes, Tweedie, and Connolly, concurs, they are as follows.

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1. The victims are almost always women, old, intemperate, and corpulent; though where, as is sometimes the case, extreme emaciation instead of great stoutness is the result of hard drinking, the disease may appear. The winter time is almost the only season in which it is said to have occurred.

2. A light blue flame appears lambent over the part which is about to be attacked, inextinguishable by water, and not readily communicable to inflammable bodies placed in its vicinity. The combustion spreads with extreme rapidity, quickly decomposing the greater part of the body, particularly the trunk, while the head, hands, and feet are often spared. The walls and furniture of the apartment are covered with a thick, greasy, fetid soot, and the air impregnated with an offensive empyreumatic odor. What is most curious of all, however, is that the articles around the body are seldom affected by its combustion; even the clothes upon it sometimes are not burned.

The earliest recorded case, that we find, is one quoted by Prof. Johnson, from Claromontius, who lived towards the close of the seventeenth century. This, however, like another mentioned in the *Actes de Copenhagen*, under the date of 1692, presents too little of accurate detail to authorize us to do any thing more than to refer to them. The most important examples that are known are as follows.

Bianchini, of Verona, gives that of the Countess Cornelia Baudi, an Italian, aged sixty-two years, who was in the habit of bathing her body in spirits of camphor. On entering her chamber one morning, the maid, who had seen her go to sleep apparently in good health the night previous, discovered her remains upon the floor. The legs and arms and a portion of the head alone were unconsumed. A heap of ashes, emitting a greasy fetid moisture when touched, was all that remained of the rest of the corpse. A sooty substance had deposited itself on the furniture and walls, even penetrating to the linen in closed drawers. The bedclothes were slightly disturbed, as though she had risen quietly from her couch, and the wax of two candles on a table hard by had melted with the heat, while their wicks remained unconsumed. This case was communicated to the Royal Society, at London, by Dr. Mortimer, and was

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published in the Philosophical Transactions for 1745, and in the Annual Register of 1763.

The case mentioned by Lecat has always been so much dwelt upon, by those who have debated this subject, that we will briefly state it here. The victim was a woman named Millet, who lived at Rheims, in 1725, in the same dwelling with Lecat. She was a drunken creature, and did not live happily with her husband, who seems to have been attached to her pretty serving-maid. On the 20th of April, 1725, the woman Millet was found near the fireplace, in the kitchen, entirely burned up, with the exception of the feet and some parts of the head and the vertebræ. A small portion of the flooring, beneath the body, seems to have been all else that was damaged by the fire. Millet was tried for the murder, and convicted; but a superior court reversed the sentence, on the supposition of the cause having been spontaneous combustion, and he married the pretty serving-maid, — a circumstance that will always throw a doubt over our minds as to Mr. Millet's innocence. A number of other cases might be quoted; but to do so would be unnecessary, as they are all, mainly, alike. That of Bertholi, a friar, however, may be given in some detail. This man, says Dr. Apjohn, who lived at Mount Volere, went to the fair of Filetto, and, having walked about all day, retired, in the evening, to the house of a relation at Feuile, to spend the night. Upon his arrival, he went directly to his bedroom, and had a handkerchief placed between his shoulders, beneath his shirt. In a few minutes after, having been left alone, a singular noise, mingled with cries, was heard from his room; and when the people of the house rushed in, they found him on the floor, surrounded by a lambent flame, which retired as they approached. When visited the next morning by Joseph Battaglia, a surgeon of Ponte Basio, the integuments of the right arm were found loosened from the muscles and hanging down, and those of the back, between the shoulders and the thighs, were in the same condition. The account which the patient gave of his singular attack, was, that he felt a blow upon the right arm, as if inflicted by a club, and then saw a spark hanging to his shirt-sleeve, which immediately reduced it to ashes. The handkerchief already spoken of, as

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also his drawers, were uninjured; but his nightcap was consumed, though his hair was not touched. He survived four days, in great suffering, and then died, leaving a case of perfect incomprehensibility to the world. Those who believe in spontaneous combustion ascribe it to electricity, and what not; others, again, are rather incredulous. The Baron de Liebig makes very merry over the fact of the nightcap being burned, and the hair on the head escaping scot-free. If it is admitted, says he, that the priest had his nightcap on his head, as is necessarily supposed by the narrator, (for if the cap had been burned upon a chair, the salvation of his locks would not be at all wonderful,) there is here but the effect of chance; we cannot suppose the nightcap was consumed by any such peculiar and unknown flame as is contended. Whatever might have been the condition of Bertholi's health, the nightcap did not participate in that condition. It was not sick; it possessed no preternatural susceptibility to spontaneous ignition; the same sort of fire that will consume a tress of hair would have consumed it. If the real truth of the matter could ever be shown, we apprehend that it would appear the priest was drunk — a natural enough conclusion to a day spent at a fair by an Italian friar, in those times — and set fire to himself from a lamp which was in his chamber.

But the blue flame, *that receded from the approach of strangers*, and defied examination, is no bad emblem of many of these stories. It is impossible to put them to a satisfactory test; and most of them are disfigured by such suspicious circumstances as to naturally impel the mind to suspect other causes than that alleged to have produced the death. A man and his wife, in the lower classes, live unhappily together; they get drunk; they quarrel; the neighbors hear a struggle in their apartments, and the next morning her corpse is found, nearly burnt up; and this is a good case of spontaneous combustion. A drunken woman, with a lighted pipe in her mouth, seats herself at night before the fire, and the next day she affords a similar experience. Mr. O'Niel, keeper of the Five Pounds Almshouse in the city of Limerick, is awakened, at two o'clock in the morning, by one of the paupers, who complains that a fellow-lodger, in the

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room above, has burned a hole through the ceiling and entered his apartment; and, on examination, Mrs. Peacock, "burning with fire and as red as copper," is found to have been the intruder; and the Methodist Magazine for 1809 (on the authority of which this tale is told) informs us that every observer, recalling the well-authenticated circumstance of her having recently been guilty of several derelictions from truth, was obliged to resolve so awful an event into "the visitation of God's judgment, in the punishment of a daring and persevering sinner!" To match this, we have the specific of holy water, which, after the failure of all other remedies, has been found in France an infallible cure in cases of spontaneous combustion, otherwise inextinguishable by all the waters of the ocean. But the most singular of all these cases, got up apparently to bolster a dubious theory, is a story, which appeared not long ago in one of the most respectable journals in the world, and was copied thence half over Europe. It contains, probably, just as much truth as many of the instances cited in the books on this subject, and may be repeated here as a specimen of the impostures the public are continually subjected to.

"A most extraordinary circumstance," (says the *Journal des Debats*, of February 24th, 1850,) "has recently transpired at a *cabaret* of the *Barrière de l'Étoile* at Paris. A man by the name of Xavier G——, a journeyman painter, of grossly intemperate habits, being on a drinking bout with some of his boon companions, wagered that he would devour a lighted candle. Scarcely had he introduced the flaming wick into his mouth, when he gave a faint cry and sank upon the floor, amidst the amazement of the whole company. A bluish flame played upon his lips; his friends, seeking to succor him, were seized with horror on perceiving that the unhappy man was consuming within. In less than half an hour, his head and the upper part of his chest were completely carbonized. Two physicians were on the spot, and pronounced the case to be one of spontaneous combustion, a phenomenon well known to science, but not, as yet, susceptible of explanation."

A number of observations, upon the characteristics of this disorder, followed; but they need not be repeated here. The paragraph was, however, widely copied, and excited the attention of scientific men in various regions to such a degree,

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that an investigation was set on foot by some curious gentlemen; and what, will it be guessed, was the result of their inquiries? Simply, that the whole story was false. Professor Regnault and M. Pelouze, the well-known chemist, having looked carefully into the matter, were utterly unable to discover the least trace either of the accident itself, or of the two medical men who stood by; and, to crown all, the notice of M. Carlier, the *Préfet de Police*, having been called to the story, he very soon traced the fable to its source, and publicly declared it to be a miserable imposture, without one solitary ground for credibility. No such man, no such circumstance, ever existed.

The murder of the Countess de Goerlitz, in 1849, by her domestic, and the man's attempt to divert suspicion from himself by causing it to appear that she was a victim to spontaneous combustion, produced an investigation which, while it resulted in his condemnation, gave a severe blow to the general belief in the disease itself. Many of the first men in their line in Germany, — Liebig, Bischoff, and others, decidedly ignore it, and protest that it should be erased from the rolls of respectable practitioners. Others, again, chiefly in France and England, adhere to the old faith. It is certain, however, that it is under a cloud just at present, and Mr. Dickens has had hard work in persuading some of his readers that Krooks is really and legitimately "done to death," and off the stage, with no chance of popping up into life again, like a Jack-in-the-box, utterly falsifying the verdict of the inquest and the sixfooter so generously furnished him by his administrator. Whether it will succeed in keeping its hold upon the faith of men, or whether, after being haled down from its high estate, and rudely buffeted between friends and foes in the contest, it may be sent, for a season, into exile, to be restored by the united voices of reason and experience, and come back upon us

> Like a glory from afar,
> Or a re-appearing star,

it is difficult to predict. We heartily wish the world were well rid of it; but it has possession, and that is nine points of the law. Still, we are convinced that, the more atten-

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tion is paid to the subject, the rarer will be its occurrence; and, if there be any truth at all in the numerous theories presented to us, it may be simplified into this: that, by an unnatural and excessive use of alcohol, the living human body *may* become susceptible of ignition and combustion to an extraordinary degree, in which case its unctuous particles will serve to feed the flames. But this can only be effected under peculiar circumstances, and by external aid. And for any thing beyond this point, we can find no support in physiology or elsewhere.

We must apologize for having dwelt so long upon a theme so unsatisfactory. It is not agreeable to reflect on the possibility of one's flaming out like a lime-kiln, as a necessary sequence to an unknown quantity of sherry or madeira. The philosophy of Captain Macheath's song in the Beggar's Opera,

"A man can die
Much bolder with brandy,"

is not a sound philosophy at all, in this view of the case. But the question arose so naturally, from the volumes under examination, and is, besides, one so novel to most readers, that we thought it well to devote a few pages to its elucidation.

Art. VI. — 1. *Italian Irrigation: a Report on the Agricultural Canals of Piedmont and Lombardy, addressed to the Honorable the Court of Directors of the East India Company.* By R. Baird Smith, F. G. S., Captain in the Army, and First Lieutenant of Engineers Bengal Presidency. Printed by Order. London and Edinburgh. 1852. 2 vols. 8vo.

2. *The Calcutta Review*, Vol. XII. July – December, 1849. Art. III. *Canals of Irrigation in the N. W. Provinces.* Calcutta, 1849. 8vo.

3. *Notes on the North Western Provinces of India.* By Charles Raikes, Magistrate and Collector of Mynpoorie. London. 1852. 8vo.

The traveller in India, after passing the holy city of Be-

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nares, finds himself, as he approaches the sacred confluence of the Ganges and the Jumna, at Allahabad, entering upon a country differing not only in its natural features, but also in the appearance and character of its inhabitants, from the vast plain of Bengal, which he has left behind. He is now in that division of the British Empire in the East which is known as the North-Western Provinces. These provinces, lying for the most part in the valleys of the Ganges and the Jumna, a great portion of their territory being situated between these two rivers, contain, in their full extent, somewhat more than seventy thousand square miles, and are occupied by a population of not less than 25,000,000 inhabitants. They are at once the most important, most interesting, and best governed part of India. Reaching from the cold summits of the Himmalayas, in which the great rivers have their source, down to the alluvial level of Central India, they exhibit many varieties of soil and climate, of race, language, and customs. The various tribes of Hindus, — Brahmin and Rajput, Jat, Goojur, and Kachi, — and the Mahommedan descendants of the old Mahommedan conquerors, though not kept apart from each other by any natural divisions of the country, are yet separated by differences in origin, tradition, and habit, and afford curious contrasts in their dispositions and modes of life. Benares, Muttra, and Hurdwar, three of the most holy and characteristic places of Hindu superstition, frequented by pilgrims from all parts of India, — Delhi and Agra, the two chief and most famous cities that remain to mark the Mussulman invasion and occupation of Hindostan, all lie within the limits of these provinces.

From the days of Tamerlane to those of Nadir Shah, this tract has been the great battle-field of the East. In early times, conqueror after conqueror swept over it, leaving desolation to mark his course, till at length the foreign Mahommedan rule was established, and, for a few short centuries, it became the seat of all the fancied wonders and the real splendors of the courts of the Great Moguls. But with the decline of their power during the last century, the country sank into a state of utter disorganization, and became the scene of perpetual strife. About fifty years ago, it was reached in the

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progress of English conquests; the rule of the East India Company was extended over it, and since then it has enjoyed a period of unexampled prosperity and improvement.

It is in this territory, full of the finest memorials of Hindu and Mahommedan supremacy, that the English have been most successful in their experiment of governing the people of India, — and there they have commenced and completed works that afford splendid and undeniable proof of their understanding, to use the words of Sir William Jones, "that the principal object of every government should be the happiness of the governed."

In view of the immense difficulties, with which they have had to contend, the highest credit is due to those civil and military officers in the East India Company's service, by whose well-directed efforts the improvement in this part of India has been chiefly effected. Having to contend against the obstacle of distance from the source of authority in England; having to reconcile the interests of the conquerors and the conquered — interests too frequently deemed adverse to each other; having to grope ignorantly, step by step, through the most complicated intricacies, to a knowledge of the characters, customs, and prejudices of those whom they were governing; having to adapt their regulations of government to native East Indian comprehension, and to a form of civilization essentially different from their own; having to overcome the distrust and dread of authority, which was the legacy of former bad governments; and, hardest of all, having the means that might have been employed in the improvement of the country, often drained off from it into the seive of distant war; — notwithstanding all this, these men have laid securely the foundation of a continually increasing prosperity, and have done more for the welfare of the people in the last fifty years than the Mahommedan rulers accomplished in five hundred.

It would be impossible, within the narrow limits of these pages, to give a complete account of the various measures for the public good that have been undertaken, during this period, in the North-Western Provinces. We should like to describe, for it deserves to be known, the revenue system, based upon an admirable land settlement, by which the rights of

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every landholder and cultivator have been accurately determined, with the most careful regard to ancient prescriptions and rights, while they are secured by an annual registry; and this, too, over a country as large as England and Scotland put together, "held by peasant proprietors, parcelled out into minute divisions, and with an agricultural population of between fourteen and fifteen millions." And we would willingly give an account, in connection with the land revenue system, of the educational scheme of village schools and vernacular instruction that has been adopted within a few years past, and which proposes to engage the self-interest of the people in the attempt to remove their ignorance.* But leaving these, and other similar topics, it is our present object to give a description of public works of another kind, interesting from their direct effect upon the prosperity and improvement of the country, namely, the Canals of Irrigation, which are now being extended over these provinces.†

"Water, Sir, is a great thing," said a poor Hindu cultivator, whose bullocks were drawing it from his well; "Water, Sir, is a great thing." How great a thing, indeed, we doubt if any one can fairly estimate, who has not seen the effects of a tropical drought, or, at least, experienced the length of a hot, dry season, extending, as in India, for month after month. In such a climate, a supply of water is of the first necessity in agriculture. Its presence or absence is the difference be-

* The inhabitants who possess rights of property in the soil compose a vast majority of the adult population. Their rights being annually recorded, it is, of course, an object of desire to every proprietor to be able to consult the register, to see that no mistake or fraud has been committed. "The means are thus afforded," says the present excellent Lieutenant-Governor of the North-West Provinces, Mr. Thomason, in a resolution of the 9th of February, 1850, "for setting before the people the practical bearing of learning on the safety of the rights in land, which they most highly prize." *Calcutta Review*, No. xxvii. July, 1850, p. 139.

† In doing this, we shall follow, for the most part, an article upon the subject which appeared in the Calcutta Review, for July, 1849. It is, as Mr. Kaye has justly called it, in his recent valuable work on the East India Company, "a very mine of information," in regard to these canals. On its first appearance in India, it excited much attention, from the ability with which it was written, and from the novelty, even to most Indian residents, of the facts which it detailed. It has since been reprinted, with some alterations, by its distinguished author, Captain Baird Smith, in an Appendix to his important work on "Italian Irrigation," a book of which it is pleasant to regard the article as, in some degree, the origin.

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tween fertility and barrenness — between plenty and starvation. The more ample the supply, the more abundant are the returns to the husbandman, and the better their quality. In a country like the North-West Provinces, where so large a proportion of the inhabitants depend for their subsistence upon the immediate produce of the land, having no stores laid up as provision against bad seasons, and no means with which, at such a time, to purchase food, the failure of water is but another name for famine. From the very earliest times, the need was felt of a more regular and certain supply than that furnished by the rains and the rivers.* The first process of agriculture, after the sowing of the seed, was the watering of the earth in which it lay. Very soon, wells and tanks were dug, and dams constructed, with more industry than skill, by which the dangers of drought might be warded off.† But these could be of but very limited operation, and the necessity of works upon a larger scale, and of more general usefulness, must have been early experienced, though the troubles to which the country was exposed, and the want of sufficient scientific knowledge, long prevented their execution.

The first canal for irrigation, upon an extensive scale, of which there are accounts, was constructed about the middle of the 14th century, by order of Feroze Toghlak, one of the most enlightened of the early Mahommedan princes. Fifty years later, a curious passage in that remarkable book, the Institutes of Tamerlane, shows the disposition of the great devastator in a somewhat amiable light, and proves his desire to spread the blessings of artificial irrigation: "And I ordained whoever undertook the cultivation of waste lands, or built an aqueduct, or made a canal, or planted a grove, or restored culture to a deserted district, that in the first year nothing should be taken from him, and that in the second year, whatever the

* In the Institutes of Menu, we find reference to dams and pools for securing water. Ch. ix. § 279.

† Masonry wells are common in every part of India. It is a pleasant thing to hear the husbandmen singing, as they draw the water for their fields. There is a tradition that Tanseyn, the famous old singer of Delhi, used to spend much of his time in listening to these songs of the well, that he might weave the simple airs into his more finished melodies. So beautiful was his singing that the river Jumna is said to have stopped in her course to hear him.

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subject voluntarily offered, should be received, and that in the third year, the duties should be collected according to the regulation." But the stream in the canal of Feroze Shah soon ceased to flow; and it was not till more than 200 years afterwards, in the reign of the wisest of the Great Moguls, Akbar, that, as it appears, an order went forth that the channel should be dug out wider and deeper than before, so that the water might flow in it, in a perennial stream, to the cities of Hansi and Hissar, lying in the arid plains to the west of the Jumna.

About the time of the landing of the Pilgrims and the settlement of Massachusetts, the magnificence of the court of Delhi reached its height, during the lavish rule of Shah Jehan. The most beautiful remains of Mussulman dominion in India, the great palace of modern Delhi, the Jumma Musjid, outrivalling all other mosques, the Taj Mahal at Agra, all were built by the order of this luxurious and tasteful monarch; and, with characteristic largeness of design, a canal on a far ampler scale than any hitherto attempted, was brought from the line of the old work of Feroze Shah down to the royal city of Delhi. Wonderful traditions remain of the benefit which the villages along its banks realized from its fertilizing waters. Its stream flowed through the splendid city, branching into innumerable channels, watering the gardens and supplying the fountains of the chief men of the state, and flowing through "the great halls and courts and private apartments of the imperial palace," where, in the exquisite white marble inner hall of audience, may be seen, to this day, the polished but now empty channel in which the water ran, cooling the hot air, and hastening along to the thick shade of the adjoining gardens.

During the same reign, another canal was dug on the east of the Jumna; but engineering difficulties, beyond the skill of those days, apparently prevented the attempt to maintain it for more than a single season. The western canal, on the contrary, remained efficient "for about a century and a quarter after its construction in 1626." Gradually, however, with the decline of the Mogul power in the 18th century, all the public works of the country fell into decay; and for nearly half a century before the British conquest, the people had ceased

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to derive any benefit from the irrigation of their fields by the water from these canals.

The English government was hardly secure in its possession of the North-West Provinces before the question of restoring these works was brought up. But, although several propositions were made, so little was the importance of the matter then understood, that no considerable steps were taken in it till the year 1815, when the Marquis of Hastings, then Governor-General of India, having had his attention directed to the subject during a tour in the North, wrote, urging upon the East India Directors to authorize the necessary expenditures for the reopening of the Western Jumna or Delhi Canal. The suggestion of the Governor-General was approved. The work was commenced in 1817, and in 1821 the waters once more entered Delhi. But "the original views of Government and of its officers were very restricted. Doubts were entertained of the ultimate success of the restored canal. Expensive works were discouraged; and the only object contemplated, at this time, was to maintain a small supply in the Delhi branch. All the works undertaken were, accordingly, of a temporary and most imperfect character; earthen bunds were used for carrying the canal across the beds of the intersecting mountain streams; few, if any, bridges were considered necessary, the canal being fordable throughout; and natural channels were invariably taken possession of, in spite of their defective levels and tortuous courses." The evils of this system soon became manifest; and, upon the appointment, in 1823, of Colonel Colvin, of the Bengal Engineers, ("an officer of eminent professional talent, of great energy of character, and of unwearied zeal," who had previously been engaged in the restoration of Feroze Shah's Canal,) "to the superintendency of the works of irrigation generally, throughout the Delhi territory," a beginning was made towards rectifying the mistakes which had their origin in the narrow views and false economy with which the work of reconstruction had been commenced. The progress of the improvements was, however, slow. The Government, unwilling to engage in large expenditures, hesitated about adopting the excellent plans presented by Colonel Colvin; and it was not till some years

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had passed that the most important of his projects were sanctioned. Gradually, since that period, the canal has arrived at a state of considerable efficiency, and it is to be hoped that the government has learned that it is the poorest economy to hesitate in undertaking the works necessary to bring it to a condition of still higher usefulness.

Without entering into the history of the reopening, or, more properly, the reconstruction, of the Eastern Jumna Canal, through which the water flowed in 1830, we proceed to consider, more in detail, the nature of these works, and the results which have sprung from them.

The united length of the lines to the west of the river Jumna,* is four hundred and forty-five miles, exclusive of the main watercourses thrown off on both sides. The great number and variety of works on them may be judged of from the fact that they are spanned by one hundred and fifty-nine masonry bridges, fifty-four of timber, and one suspension bridge; and that there are six hundred and seventy-two outlets for irrigation, or about three to every two miles of their whole course.† The total area of the district under the influence of the canals, is about 860,000 acres, and of this somewhat more than 350,000 are actually watered. "No village," says Captain Smith, "actually waters its whole area, part being in fallow, or waste, or occupied by inferior crops not requiring water."‡

* We have to use the name of this river so often, and it is a name so unfamiliar to most of our readers, that they will allow us to recall to them that it is the stream on which Delhi, Muttra, and Agra are situated; that it has its source among the eternal snows of the Himmalayas, and unites, as we have before said, with the Ganges, at Allahabad. It is a famous river in Hindu legend and history. In the mythology of the country, Jumna is, according to Mr. Hamilton, in his Useful Gazeteer, "the sister of the judge of the infernal regions, and the daughter of the sun; so that," as he unexpectedly adds, "her lineage and connections are very respectable."

† We take this statement of the number of the different works on the canal, from Captain Smith's article, which was written in 1849. It is probable that the works have become still more numerous since that time.

‡ "A village, so called, in the revenue parlance of the North-Western Provinces, is a tract of land with fixed name and boundaries, whether it contain what, in England, is properly called a village, or not. It may be inhabited, or it may be *bechuragh*, (without a lamp,) as those estates are called which contain no human habitation; it may contain one cluster of houses, or many." Raikes's *Notes on the N. W. Provinces*, p. 119.

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But it must not be supposed that the blessings of irrigation are confined to the one half or one third of the village area actually watered. The water is used, as far as it is needed, to secure sufficient harvests for the whole village community, and its indirect benefits reach much beyond the limit of the irrigated fields.

A striking proof of the beneficial effects which have followed the opening of the canals, is the gradual increase of population in the districts through which they flow, as marked by its excess over that of the unirrigated portions. Without entering into the details of the separate districts, it appears that the average rate of population in the irrigated, as compared with the unirrigated tracts, is as 275 to 158 to the square mile, or as 1. to .57; and it is an illustrative fact that the greatest discrepancy occurs in the least fertile portion of the country, the sandy district of Hissar, where the proportion is as 142 to 87. Thus, taking the country through, villages directly benefited by the canal, support a population nearly, if not by this time more than, two fifths greater than that of villages not visited by the waters. And the fact becomes the more impressive when it is remembered that this difference has been created within the last thirty years.

The total expenditure on the Western Jumna Canals, including the cost of the original works, the current repairs, and the salaries of the officers composing the canal establishment, had amounted, in 1847, to 3,536,629 rupees;* while the revenue from them, increasing with much regularity from year to year, till, in 1846 – 7, it reached the sum of 302,885 rupees, — had attained, in total amount, to the astonishing sum of 4,206,078 rupees, — thus paying for all the expenses of construction and maintenance, and leaving a surplus in the hands of government of nearly 670,000 rupees.

The chief source of this annual revenue is, of course, the water-rent, which is levied in two ways, either by a certain rate, according to the size of the irrigation outlet, — or by a rate on the actual extent of the land watered, — a method

* The rupee may be accurately enough estimated at the value of half a dollar. The sum above would, therefore, be 1,768,315 dollars.

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vastly inferior to the first.* In addition to the revenue from this source, a considerable sum is annually derived from the rent of flour-mills, from the watering of cattle in some pastoral districts, and from transit duties upon rafts of timber floated down from the rich and most beautiful forests of Deyrah Dhoon. These duties, which are very light, amounted, in 1820–21, to the grand total of fourteen rupees; while, in 1846–47, they reached the sum of 6,800 rupees, and even this was less than the amount collected in some previous years. The growth of the revenue, from this source, is a direct and simple illustration of "the improvement in the condition of the people in the canal districts," as it shows "the largely increased consumption of timber among them in the construction of substantial and comfortable dwelling-houses."

Still another source of revenue is the sale of produce from the plantations that have been made along the banks of the canals. Trees, furnishing wood of value for economical purposes, have been set out, adorning the lines of the works, furnishing a pleasant shade for travellers, and replacing, in some degree, the groves which were destroyed over a large part of this territory by the Sikh, Mahratta, and other troops, during the general scramble for the remnants of the power of the old Moguls. The revenue derived from these plantations has already more than covered all expenditure upon them, and their value increases with their age.

A small sum annually accrues from "fines levied for breaches of the canal regulations," and is the only portion of the income that may be expected to diminish, rather than to increase, in succeeding years.

Such are the elements making up the direct revenue from the canals; but this is not all the return that the government receives from them. Much the largest part of the resources of the state is derived from the land-tax, which may be roughly estimated as equivalent in value to one third of the gross pro-

* As we intend to present, here, only a popular view of these great works, we will not enter into the questions connected with the levying of the water-rent. They are, however, among the most important in the practice of irrigation. We must refer those desirous of further information, to the second volume of Captain Baird Smith's "Italian Irrigation," where the whole subject is thoroughly discussed.

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duce of the land.* Now it is found, on comparison of the tax paid by canal villages, and that paid by those beyond the reach of the canals, that the use of irrigation has greatly increased the land revenue. So much, indeed, has the regular supply of water raised the profits of agriculture, by securing the certainty and the abundance of the crops, that the total increase of revenue from the land due to the Western Jumna Canals may be fairly reckoned at an annual sum of 300,000 rupees. When this amount is added to that of the direct canal revenue, "we have a net income on the invested capital of thirty-six per cent."

The growth of the revenue from water-rent, although regularly progressive, was at first very slow; but, in the year 1837–8, it suddenly rose to an amount double what it had ever attained except in the immediately preceding year, and almost to twice what it had then been. During this year, the rains utterly failed, or fell in such scanty showers as served only to excite and mock the anxious expectations of the people. Over the whole North-West Provinces the terrible drought prevailed. The land became a desert of dust. The seed died in the ground; the grass withered and dried up, and a fearful period of absolute famine set in. The people, dependent on their annual harvests for support, were driven to the extremest pitch of destitution. Whole villages were depopulated. The bands that unite men together were broken. Parents sold their children for a morsel of food. The bonds of superstition and immemorial custom snapped in pieces. The rage of hunger destroyed even the distinctions of caste, and the Bramin braved all the horrors of pollution, as he devoured food that had been defiled by the touch of the lowest of the human race. Substances, the most revolting, were greedily swallowed, to allay the pangs of starvation. The cattle died in the fields that refused them nourishment. Public and private benevolence stood almost without help or hope before the awful extent of desolation. In six districts, the govern-

* The land revenue of the North-Western Provinces amounted, in 1846–7, to 40,529,921 rupees. This was more than four fifths of the government income for the year. *Calcutta Review*, No. xxiv. p. 416: "The Settlement of the North West Provinces."

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ment remitted, at once, nearly one half of the land-tax, and, "in the seven succeeding years, a farther reduction was made still larger in amount," so that the total loss of revenue, in these districts alone, amounted to more than one million of pounds sterling. "Nor was this all. Such was the extent of land thrown out of tillage, and the reduction of rent in the remainder, owing to the deficiency of cultivators, and such the impoverishment of the people, that it was necessary not only to refrain from the rigid exaction of the government demand, but also to relinquish, absolutely, [for the period for which a settlement had been made] part of its amount." *

During this fatal year, as we have just stated, the use of the works for irrigation was vastly extended; and, wherever the streams of the canals flowed, was plenty in the midst of the surrounding distress. The gross value of the autumn and spring crops, grown during this season of famine, on land watered by the Western Jumna Canals, — the greater part of which would have been totally unproductive without the use of canal water, — has been estimated, from actual measurement, at 14,628,000 rupees. Of this sum, "about one tenth was paid to government, as land and water-rent, while the remainder supported in comfort, during the period of devastating famine, the inhabitants of nearly five hundred villages." As Captain Smith justly says, "any more striking illustration of the social and fiscal value of canals, could not be given."

The Eastern Jumna Canal, which, as has been stated, was opened in 1830, has, during its shorter period of operation, been productive of results similar to those which have marked the existence of the larger western works. Indeed, in some respects, the results from it have been even more remarkable, owing to the much greater efficiency in the distribution, and economy in the use, of its water. Its length is about 150 miles, and it has a discharge of 538 cubic feet per second, which affords the means of watering 160,000 acres. For six years previous to 1849, it was under the superintendence of Captain Baird Smith, from whose treatise we have so

* *Calcutta Review*, Vol. xii. p. 456: "Settlement of the North-West Provinces."

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often quoted, and, under his able management, it was brought to a state of efficiency, such as had been reached before on no Indian canal. He describes it happily, with a mixture of pride and enthusiasm equally agreeable and natural in one who had had so large a share in extending its benefits, and for whom it had so long been the scene of active labors. "Most beautiful it truly is," he says, "with its broad road, smooth as an English lawn; its double rows of trees drooping over the stream; its long, graceful sweeps; its rich bordering of most luxuriant crops; its neat station-houses; and the peculiar care with which all its works are maintained. It is, certainly, one of the most interesting and attractive of Indian sights. The gem of the whole is the southern division, where, for nearly sixty miles, the visitor passes through a country which is the Garden of the North-West, and finds constant cause to admire the beautiful, although limited, scenes, that every turn of the canal brings before him."

There has been a regular progressive increase in the use of the water, and, consequently, a gradually increasing revenue. In the famine year the rent at once nearly doubled, and the value of the crops, saved by the use of the waters, was about 5,000,000 rupees. The cost of the canal, owing to the greater difficulties in its construction, and the greater completeness in its works, particularly in the extent of its main subsidiary watercourses, by which the best distribution of the water is secured, has been more than double that of the Western Jumna.* But, notwithstanding this greater outlay, the government receives an annual income from canal returns and increased land revenue, of at least twenty-four per cent. on the original investment. The increase of population in the irrigated districts has been not less marked on the east than on the west of the Jumna, and in all directions the benefits, flowing from this canal, seem to be as inexhaustible as its waters.

We may pass over the miniature canals of the Deyrah Dhoon, with only a reference to their existence in this rich, luxuriant Himalayan valley, where the beauties of a tropi-

* The cost of the Western Jumna Canals was 2557 rupees per mile; that of the Eastern Jumna, 5640 rupees.

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cal and a temperate region are combined to enhance the charm of one of the most magnificent of landscapes.

"We have now completed," to quote again from the historian of the canals, "our account of existing Canals of Irrigation in the provinces subject to the government of Agra. We find, that since these works first occupied the attention of the British authorities, they have expended upon them a sum of nearly £557,000, and have drawn from them, in direct canal revenue, nearly £546,000. They have brought under the influence of irrigation, and secured, in a condition of the highest productiveness, an area of 1,300,000 acres, yielding produce to the annual value of not less than two and a half millions sterling, and supporting a population of 600,000 souls, of which a considerable proportion has been reclaimed from habits subversive of all good government, destructive to themselves, and mischievous to their neighbors. Great tracts of land, formerly waste, now sustain a dense, industrious, and thriving peasantry, well supplied with every material comfort they desire, placed beyond the reach of the vicissitudes of the seasons, bearing, with use to themselves, a proportion of the state burdens considerably in excess of that imposed upon their less favored fellow-subjects, and so sensible of the advantages they enjoy, that, even in the very worst of those localities, where inconvenience has arisen from the imperfections of the canal works, the general superiority of their circumstances is willingly admitted, and the desire for canal irrigation unhesitatingly expressed. So long as the control of the canals is vested in the local government, the progress of improvement will be encouraged to its utmost extent; and we doubt not but that, as each year passes by, the admitted evils will gradually become less and less in number and extent, until, under the skilful employment of liberal expenditure, they shall have entirely disappeared."

Such a statement, as the preceding, of the advantages that have been derived from existing canals, is a good introduction to the still more interesting part of our subject, — the account of those in progress of execution by the British government, — and chiefly of the great Ganges Canal.

The idea of making the great sacred river the source of prosperity and civilization to the people who had so long regarded it with superstitious veneration, of making it pour benignant waters over the fields of those who had so long ignorantly worshipped its unused stream, was one that possesses

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a fine element of poetry, which will always add a beauty to its noble practical application. The first suggestion of it seems to be due to Colonel Colvin, of whom we have already spoken; but it was left to Colonel Cautley, whose name will be inseparably connected with the work as long as even a remembrance of it exists, to make the first surveys, and to prove the practicability of the undertaking. The contrasts presented during the famine of 1837-8 between the districts through which the existing canals passed, and the other portions of the country, were such as to direct the attention of government in the most forcible manner to the importance of extending irrigation. The necessary surveys on the upper part of the line of the proposed Ganges Canal were accordingly ordered, and in 1840 Colonel Cautley presented his first report, showing that no insuperable difficulties existed, and urging that the canal should be constructed on the largest possible scale, so as to appropriate the whole visible stream at Hurdwar, its proposed head. In the course of the next year, the Court of Directors gave their approval to the work, and directed that a committee of engineer officers should be associated with Colonel Cautley, to determine on the best method of carrying the project into effect. This committee "submitted their report in February, 1842, and recommended that the canal should be constructed of such dimensions as would admit of its discharge being 6,750 cubic feet per second, which supply was considered sufficient for the irrigation of the whole Doab," that is, the country lying between the Ganges, Hindun, and Jumna, and forming the principal part of the North-West Provinces. But orders for the prosecution of the work had hardly been given when Lord Ellenborough reached India as Governor-General, and put a stop to all measures of peaceful improvement, while he played the poor, low part of a pompous military chief. Through the discouraging years of his administration, no advance was made on the canal. At length, in 1847, Lord Ellenborough having been succeeded by Lord Hardinge, a man of a different stamp, arrangements were made for the vigorous prosecution of the works; and, wrote Captain Smith in 1848, "twelve years after the first line of levels for the project had been taken, the Ganges Canal may

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be said to be fairly in progress, on a scale commensurate with its importance, and on the plan which its projector advocated from the first, and, amidst all opposing influences, never ceased to advocate, — that, namely, of a canal primarily of irrigation, but provided with all works necessary for purposes of navigation." The delay of so many years had but made the necessity for the work more urgent, while the accuracy and completeness of the calculations and surveys on which the project was based had been thoroughly tested.

The canal which, since 1848, has been going on steadily till it is now approaching its completion, is the most magnificent public work in India, and hardly surpassed by any in the world. Starting from Hurdwar, where the Ganges breaks through the rocky outworks of the Himalayas, it continues its abundant course through the heart of the Doab, throwing off branches on either side "which rival the largest of the existing canals," till it reaches its terminus at Allahabad, having traversed, with its branches, a total distance of 898 miles from its commencement. "The only obstacles," says Captain Smith, "to the construction of the canal are met with on the first twenty miles from the head, or between Hurdwar and Roorkhi. These difficulties arise from the course of the canal intersecting at right angles the whole of the drainage of the Sub-Himalayas, of which the western valley of the Ganges is the receptacle."

The town of Hurdwar, where the canal begins, is a picturesque and curious place. It is a sort of miniature Benares. Nowhere can be found a contrast more striking between the beauties and excellence of nature, and the perverse superstitions which men have associated with her noblest displays. The town lies on a narrow strip of land between the wooded hills, whose steep sides rise abruptly over it; and the river that flows at their feet. Here is the gateway through which the Ganges passes from the mountains which guard its source, down to the open plains; and to this spot multitudes of pilgrims resort to bathe in the unpolluted stream, and to carry away the purifying waters to the furthest limits of India. The narrow, dirty streets of the town are crowded with priests, devotees, and mendicants, many of whom are hardly more human in their aspect than the monkeys that run over the

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tiled roofs of the bazaar. The river bank is lined with pagodas and other edifices of stone, from which broad flights of steps lead down to the sacred bathing place. When the canal was commenced, the Bramins, who gained their livelihood from the pilgrims attracted by the reputed sanctity of the place, were alarmed lest the sacred character of Hurdwar might be destroyed. But care was taken to remove their fear by dealing with it in the most considerate manner, by improving the place for bathing, and by clearing the bed of the river where it passes by the town. A more general feeling among the natives was, that the work was one of most unmitigated presumption, and that nothing could be more absurd than to suppose that the mighty Gunga would ever so far forget herself as to forsake her ancient channel and consent to flow in a new one made by sacrilegious hands.* It was not, as we have heard, until after the water had been actually let on to a small portion of the works, that their doubts began to give way.

The first masonry works are at Myapur, a mile and a half south of Hurdwar. A branch of the river having been taken possession of up to this point, it is here that the artificial channel commences, "having a constant width at bottom of 140 feet, and a variable width at top dependent on the depth of excavation, but which may be stated generally to be about 200 feet. The depth of water provided for, is 10 feet and the slope of the bed about 18 inches per mile." It might be wearisome to describe the various works by which the canal is brought over the frequent difficulties which present themselves in the few next miles, — though in neglecting to do

*Mr. Raikes, in his very useful and interesting "Notes on the North-West Provinces," gives an entertaining account of the difficulties of a native Deputy Collector in getting the children of his district to go to school. The story is told by Rung Lal, the deputy. Part of it illustrates the popular belief to which we have alluded above. "When the people gave up this notion, a new fancy was brought out: sixteen schools, out of four-and-twenty in the jurisdiction of your humble servant, were stopped; yes, absolutely closed; and what, sir, do you suppose, was the reason? The old women spread a report that the Ganges Canal, which has been so long cutting, would not *chul*, that the water would not run in it, and that the boys were not really wanted for *education*, but for *sacrifice* to propitiate Gunga-jee! The schools, as I say, were deserted until I went round to the villages, and swore upon the Ganges water that there was no real cause for alarm."

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this, we are obliged to omit the account of many things worthy of note. But we cannot pass over the works in the Solani valley, not quite twenty miles from Hurdwar, with the same silence, both because they are the most important works on the line of the canal, and because some of our own pleasantest associations with India belong to them and to the station of Roorkhi, which overlooks their course. And here, again, we will make use of Captain Smith's words, being unable to improve and unwilling to alter them. After passing through a high ridge of land, about two miles in breadth, the canal enters the valley of the Solani, which, at this point, is two and a quarter miles wide.

"The level of the canal bed begins to rise at once above the surface of the country; and the great work of embanking the channel, or forming the earthen aqueduct, commences.

"This work, by which the canal is brought through the valley to the Solani river, will consist of an earthen embankment, or platform, raised to an average height of about 16. 1-2 feet above the country, having a base of about 350 feet in width, and a breadth at top of about 290 feet. On this platform, the banks of the canal will be formed, 30 feet in width at top and 12 feet in depth. These banks will be protected from the action of the water by lines of masonry, retaining walls formed in steps, extending along their entire length, or for nearly 2. 1-4 miles north of the Solani.

"The river itself is crossed by a masonry aqueduct, which will be not merely the largest work of the kind in India, but one of the most remarkable for its dimensions in the world.

"The total length of the Solani aqueduct is 920 feet. Its clear waterway is 750 feet, in 15 arches of 50 feet span each. The breadth of each arch is 192 feet. Its thickness is 5 feet: its form is that of the segment of a circle, with a rise of 8 feet. The piers rest upon blocks of masonry, sunk 20 feet deep in the bed of the river, and being cubes of 20 feet side, pierced with four wells each, and undersunk in the manner practised by natives of India, in constructing their wells. These foundations, throughout the whole structure, are secured by every device that knowledge or experience could suggest; and the quantity of masonry sunk beneath the surface will be scarcely less than that visible above it. The piers are 10 feet thick at the springing of the arches, and 12. 1-2 feet in height. The total height of the structure, above the valley of the river, will be 38 feet. It will not, therefore, be

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an imposing work when viewed from below, in consequence of this deficiency of elevation; but, when viewed from above, and when its immense breadth is observed, with its line of masonry channel, which, when completed, both north and south of the river, will be nearly three miles in length, the effect must be most striking.

"The waterway of the canal is formed in two separate channels, each 85 feet in width. The side walls are 8 feet thick and 12 deep, the expected depth of water being 10 feet." "A continuation of the earthen aqueduct, about 3-4 of a mile in length, connects the masonry work with the high bank at Roorkhi, and brings the canal to the termination of the difficult portion of its course." *

The details, which are here given, serve to show the thoroughness and security with which the work has been constructed. The waters will not be more safely confined within the natural walls of the cut through which they enter the valley, than within the revetments of the embankments and the sides of the aqueduct by which they cross it. During the dry season the Solani flows a scanty dribbling stream through a wide bed of sand; but when the rainy months set in, and the snows melt on the inaccessible summits of the mountains, it pours a swollen flood, which might well test the strength of any inferior work, but will, we may well believe, beat in vain against the solid, unshaken piers which support the more constant stream.

The town of Roorkhi, the head-quarters of the canal, was, a few years ago, but a small native village. It is now a flourishing, and rapidly increasing English station. It is a pleasant place, with its look of busy industry and fresh western activity.† A broad, uneven plain stretches off from the river to the

* It gives some further idea of the extent of these works to learn, from a report of Major Baker, that the construction of the aqueduct will require 84,000,000 of bricks, and 1,000,000 cubic feet of lime. The total cost of the canal from Hurdwar to Roorkhi will be about 3,000,000 rupees, of which, more than half is spent upon the aqueduct.

† We quote, from a manuscript journal, an account of a part of the scene at Roorkhi, in 1849. "Standing on the bridge that crosses the canal, one sees an unexampled sight for India. In order to transport materials and earth along the line of works, a railway, two or three miles in length, has been laid down, — the only railroad in Asia. The cars, drawn by horses, (engines have been sent for from England) are passing and repassing upon it. The natives understand such a labor-saving machine as this, — every other contrivance, however novel, they have seemed to regard with little admiration or surprise. Thousands of them are busy at bricklaying or excavating, or engaged in other sorts of labor required on the works. They

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foot of the mountains that rise, range upon range, in the early morning light, but whose more distant peaks are hidden in the glare of the full day. There was a propriety in choosing this place as the head-quarters of the canal, not less from its natural situation, than from the character of the neighboring works. The work-shops, model-room, and offices needed for the canal, are well established, and it is now some years since a College was opened, which, "under its excellent Principal, Lieut. Maclagan, of the Engineers, promises to become an institution of the highest utility to the canal and other departments of public works," as well as to the country generally, by raising up a class of native and European Civil Engineers, who may assist in the maintenance of the existing, and the creation of new, works for the public good.*

But we are lingering too long at Roorkhi, and must proceed to the further description of the canal. From this point it continues, with an easy and unimpeded course, for about fifty miles, when it throws off its first branch, which stretches away for 160 miles, and will have a discharge of 1240 cubic feet per second. Three other branches follow, at distant intervals, the longest of which runs for 172 miles.

"As each of the branches, as well as the main line, will be adapted for internal navigation, the commerce of the Doab will participate with its agriculture in the benefit to be derived from the canal. For purposes of cross communication, bridges will be provided at every two

all labor under the immediate direction of native superintendents. It is a striking thing to see them thus employed in accomplishing a work that is to be of infinite advantage to themselves, and learning, at the same time, by the practical teaching of experience, the lessons most important to be learned by Hindus — the power of combination, the benefits of association and mutual dependence, and the superiority of other science and arts to their own. At a little distance lies an immense field covered with brick kilns, some in process of building, some with the smoke issuing from their tops, some already burnt and ready for use. 100,000 bricks are turned out daily for the construction of the aqueduct. Altogether, viewing the canal itself, the little new town, and all this activity there is no place in India where the contrasts between the past and the present are more impressive or more satisfactory." Lieutenant Goodwyn, of the Engineers, was at this time at the head of this division of the canal. His great merits as an officer were not more than his kindness as a friend.

* Lieutenant Maclagan has been during the present year on a visit to this country, engaged in the examination of our various educational institutions. The interests of the College at Roorkhi could not be in more faithful hands.

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or three miles. All the various works required for the regulation of the supply, for the convenience of the establishment, for mills, &c., will be constructed wherever required. Plantations will be formed within the canal limits, on each bank. Orchards of grafted mango trees, similar to those so successfully established on the Eastern Jumna Canal, are estimated for. The transverse section of the canal is gradually diminished, as each branch draws off its proportion of the supply from the main line."

The cost of the whole canal is estimated at one and a half millions sterling, and "there is no probability that this estimate will be exceeded." To authorize so large an expense, the government must have been well satisfied that the returns would be proportioned to the outlay. And such, indeed, they promise to be. The enormous extent of territory that will come within the influence of the canal, and the consequent increase of revenue from the land, appears from the following extract:

"Supposing," (we quote again from our authority,) "that the full supply of the canal, being 6,750 cubic feet per second, is rendered available for irrigation, as ultimately we have no doubt it will be, we know from experience on the canals of the Jumna, that each cubic foot of this discharge is sufficient for the irrigation, during the year, of 218 acres. The total area, which would be actually watered during the year, would, consequently, amount to $6{,}750 \times 218 = 1{,}471{,}500$ acres, or, for facility of calculation, say 1,500,000.

"Assuming as astandard of comparison for the whole of the Doab, the best irrigated district on the Eastern Jumna Canal, ... we find ... that irrigating villages actually water one third of their total areas. Consequently, the supply of the Ganges Canal would furnish abundant irrigation for an area of $1{,}500{,}000 \times 3 = 4{,}500{,}000$ acres.

"In districts benefiting by canal irrigation, it is found that for such localities as, from position, difficulties of level, or other causes, cannot be provided with water, irrigation from wells is extensively employed. From data given in the Special Committee's report, it would appear that, in the best irrigated district on the Western Jumna Canal, the proportion of canal to well irrigation is as five to one; assuming this for the Doab, we should have an area, irrigated from wells, amounting to 900,000 acres.

"The total area, for which irrigation would be provided, would, accordingly, amount to 5,400,000 acres. But the whole irrigable area

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of the Doab is, as formerly shown, 11,102,048 acres. This tract of country would therefore be irrigated to the extent of very nearly one half its surface, — a proportion equal to that of the best district west, and nearly double that of the best district east, of the Jumna. In making this comparison, it should not be overlooked that the best districts on existing canals have been selected as standards for the whole Doab, a measure which tends to give a more limited range to the influence of the Ganges Canal than would have been the case had inferior tracts been selected. But we are anxious to avoid all appearance of exaggeration in estimating the benefits to be anticipated from this great work."

Over this wide extent of country, — down this new valley of the Ganges, — the steady flow of irrigation will be like a fertilizing inundation, lasting the whole year round. We cannot go through, in detail, with the facts upon which the estimates of the annual returns from the canal, and the probable cost of its maintenance, are based, nor with those relating to the pecuniary value of the crops improved and secured by it.* We must be content to take Captain Smith's summary of them; but in reading his statement it is to be observed that, on every point, he has rather understated than exaggerated the prospective results. There is no need, indeed, of exaggeration in describing such a work and such results. The simple facts, most moderately stated, are sufficiently surprising and eloquent.

"We have shown," he says, "that the canal will add to the revenue of the government the sum of £350,000 per annum; that it will protect from the risk of famine a tract of country, containing upwards of 11,000,000 acres, inhabited by nearly six and a half millions of souls, and paying to the state an annual land revenue of nearly £1,800,000. It has farther been shown that, in the event of a failure of the ordinary rains, agricultural property to the value of seven and a half millions sterling would be secured to the community; that an increase in the produce of the land, valued at £1,200,000 per annum, would be obtained; and that, as compared with the only other available method

* These facts are, in many cases, derived from statistics prepared by order of the government of the North-Western Provinces. This government deserves the highest credit for directing the collection and publication of these and other valuable statistics upon different branches of administration. It is as far in advance of the Bengal, Madras, and Bombay governments in this as in most other respects.

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of irrigation, a saving of expense to the amount of two and a half millions annually would be effected."

Two objections have been raised to this great work, which, if well founded, would have diminished, in a considerable degree, the completeness of the satisfaction with which we believe it is to be regarded. The first of these was that the "abstraction at Hurdwar of so large a portion of the stream as 6750 out of 8000 cubic feet per second," would be of very serious injury to the navigation on the river. It has, however, been shown in the original reports on the works, and in the article which has been our chief authority throughout this account of the canals, that there is a great percolation of water through the porous stratum of shingle composing the bed of the upper part of the river, and that this water again "makes its appearance when, at the lower levels of the river's course, the substratum of clay outcrops and the porous shingle bed terminates." In addition to this supply, the volume of the stream is increased below Hurdwar by various tributaries, — so that, notwithstanding so large a portion is originally taken off by the canal, enough will still remain for all the usual needs of navigation. Nor is it to be forgotten that the canal itself will afford many facilities for navigation, and that the revenue from it will supply the government with ample means to improve the channel of the river, if it should be found that the capacities of the stream have been injured, or the interests of the towns upon its banks have suffered by the construction of the works for irrigation.

Another objection has been "based on the supposed insalubrity of irrigation, as exemplified in parts of the existing canals of the Jumna." This objection early excited the attention of the government, and a special committee was appointed for the purpose of examining the existence and character of the danger from this source. Their report was prepared with great care, and is one of much general interest. It conclusively proved that unhealthiness was not a necessary consequence of irrigation by canals, but that it was an accidental consequence, developed in almost exact proportion to the degree in which the canals interfered with the free drainage of the country. In view of these conclusions, the

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Ganges Canal has been constructed with the most careful regard to maintaining and improving the drainage of the country through which it passes; and various precautions, recommended by the committee, will be adopted in regulating the use of its waters. There seems no reason, therefore, to believe that the canal will produce any malarious influence within its districts; but, on the contrary, a reasonable ground for hope that the increase of wealth and comfort, which it will bring to the people, may be accompanied with a diminution of disease.

The canal is now approaching its completion, and, before the end of 1854, the waters will flow in it through its entire length. The date of its opening will be a marked period in the history of the North-Western Provinces. Colonel Cautley, who has superintended its construction, with but a short interval, from its commencement almost to the present time, being forced by ill health to retire from the place of Superintendent, has been succeeded by Captain Baird Smith, who, as our readers have long since learned, is fitted to follow with equal steps such a predecessor, and to continue well, and still further develop, what has been so nobly begun. A government is happy that has such officers to fill its posts, and such works to be carried out by them.

We have given so much space to the description of these canals in the North-Western Provinces, that we can but refer, in the most brief manner, to those in the other parts of India. In the settlement of the recently conquered territory of the Punjab, it has been felt that no surer method was afforded of bringing the disorganized, warlike, and restless population into a state of quiet, and of securing the gradual improvement of the people, and their good will towards the government, than by developing the resources of the country by means of canals and roads. Sir Henry Lawrence, a man of the highest character, and one of the ablest officers in India, being at the head of the local government of the Punjab, pressed the subject upon the notice of the Governor-General, and his recommendation being approved by Lord Dalhousie and by the Court of Directors, a canal, known as the Baree Doab Canal, is now in course of construction, which, drawing

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its waters from the river Ravee, will extend, with its branches, 450 miles through the heart of the country. Nor is it improbable that the other large streams of the land of the five rivers, may shortly be made use of for a similar purpose.*

In the south of India, in the Madras Presidency, works have been constructed to employ the waters of the Cauvery river in artificial irrigation, with the most beneficial results; and others with a similar object are going on upon the Godavery and the Kistnah.

We have now sketched the present general condition of the system of canal irrigation in India. Many curious and interesting details have been necessarily omitted in so brief an account. But the system may be regarded as only in its beginning. Every year, we trust, will see some addition made to the territory watered by canals, and some new stream added to the catalogue of those which are employed in the service of the people.

It is impossible to take a general survey of these great works, even at this distance from them, without a feeling of the heartiest satisfaction that any men should have been able to effect so much good, and should have effected it so successfully. It is a proof not less of the scientific ability of the officers of the East India Company, than of their right feeling and their recognition of the responsibilities of their position. England, as well as India, may be proud of what they have done.

The canals, as we have seen, are productive of benefits beyond those of a merely material character. They are great moral agents. They are the promoters of peace and civilization not less than of fertility and plenty. "Statistical details and magisterial experience," says Baird Smith, in an admirable passage at the close of his work, on "Italian Irrigation," "show clearly that where irrigation, with its pleasant train of consequences, is introduced, crime diminishes, plenty and security prove the best policemen, lawless habits yield to their genial influences, and men who were the Ishmaelites of soci-

* It has been proposed to use the Sutlej, in a canal, for fertilizing the "hard desert," which lies to the east of that river. Such a work would have to create, not to benefit, agriculture in that district.

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ety fall, without force or constraint, into the ranks of the great army of industry." Nor is their effect to be measured in a single generation; — it will grow with the growing population and increase, year by year, from century to century. They take their place at once with the kindest works of Nature herself, — for they partake of her enduring beneficence, her free and equal generosity. The native, whose fields are watered by a canal, will trust to it as he trusts to the changes of the seasons, and to the swelling of the seed in the ground.

We can imagine no higher satisfaction than that which may be felt by those who have constructed and directed these works. It is a privilege rarely attained to see the immediate good results of one's labors for others. But in this case, the work is hardly completed before those who have been engaged in it may behold the blessings which it brings. Without a metaphor, it is theirs

> "To scatter plenty o'er a smiling land,
> And read their history in a nation's eyes."

It is theirs to feel that they have laid a secure foundation for the permanent prosperity of the people whose interests have been committed to their hands.

The contrasts between these works of the English in India, and those left by the previous conquerors of the country, are a most striking exhibition of the differences in the character of their rule. The time of Eastern romance has gone by, but it is succeeded by a happier period of realities. The lustre of Eastern splendor is fading away, but in its place the steadier and clearer light of a generally diffused welfare is beginning to shine. The wealth of a whole people is no longer concentrated in the display of a single court, — but is spread over the land through innumerable channels. When Shah Jehan built the Taj Mahal at Agra, erecting the most exquisite building in the world, as the tomb for his wife, he spent, in its construction, more than twice the cost of the Ganges Canal.* The wealth expended on its marbles and mosaics was squeezed, by tyrannical extortion, from a poor and

* This building, which more than realizes all that has been dreamed or fancied of the beauties of Oriental architecture, is said to have cost 31,748,026 rupees.

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overburdened people. Akbar, the best and most considerate of Indian emperors, is said to have kept in his stables 12,000 horses and 8,000 elephants, — the numbers are, very likely, rounded in the Eastern fashion; but the tradition of lavish luxury remains to show how the revenues of his territories were expended. "If we omit three names," says Sir Henry Elliott, in his valuable work on the Historians of Mahommedan India, "if we omit three names in the long line of Delhi emperors, we shall find that the comfort and happiness of the people were never contemplated by them; and, with the exception of a few serais and bridges, and those only on roads traversed by the imperial camps," we shall "see nothing in which purely selfish considerations did not prevail."

Whatever may have been the mistakes and the faults of the East India Company's government in India, and they have been very many, there can be no question of the fact that it has been, on the whole, of incalculable benefit to the people. Were it to come to an end to-morrow, the works that we have described would remain as a monument of its regard for its subjects, and of the sincerity with which it sought their improvement. It is true that these works are not less important to the revenue of the state, than to the harvests of the husbandmen; but it does not detract from the merit of a government that its interests should be so far identical with those of the governed, as to be promoted by the same means. These canals are, indeed, one of the clearest examples of the truth, that to improve the condition of its people is not only the highest duty, but the most obvious policy of every government.

We will not enter here upon the question how far the East India Company has made this the rule of their policy. But there can be no doubt that this has been the spirit with which many of its servants have labored. It is, indeed, to the members of the civil and military services in India that the gradual improvement in the country is chiefly due. Their position is often one of great power and great responsibilities. In the preceding pages we have shown one instance of the manner in which they have used this power and met these responsibilities. Honoring what they have already done, believing

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that this is but the earnest of what they will hereafter do, we heartily adopt the words with which Mr. Raikes, addressing the fellow-members of his service, closes his book: —

"To raise up a degraded race; to cure the plagues of past bad government and bad morals; to prepare — if you may be so blessed — the way for real virtue and true religion: to this you are called; and look round the world as you may, you will never find a more glorious vocation."

ART. VII. — 1. *Uncle Tom's Cabin, or Life among the Lowly.* By HARRIET BEECHER STOWE. Boston: J. P. Jewett & Co. 2 vols. 12mo.

2. *A Key to Uncle Tom's Cabin, presenting the Original Facts and Documents upon which the Story is founded, together with Corroborative Statements verifying the Truth of the Work.* By HARRIET BEECHER STOWE. Boston: J. P. Jewett & Co. 1850. 8 vo. pp. 262.

IT is quite too late in the day to review Uncle Tom's Cabin; but it is not too late to speak of the subject to which it relates, and from which it derives much of its interest. Upon the discussion of this subject, surrounded as it is with difficulties, and hedged about with sensitive and vehement passions, the publication of Mrs. Stowe's work has exerted an important influence. It has not merely fanned the excitement of parties; it has induced many sober and reflecting people, who had hitherto stood aloof from a controversy which had too much the aspect of a bitter political feud, managed on both hands with equal indiscretion and acrimony, to turn their thoughts towards it again, in the hope of finding some middle course, or of suggesting some plan which might have an effect to alleviate the evil which it seemed impossible to eradicate. It is for this class of persons only that the present article is intended.

The enthusiastic reception of Mrs. Stowe's novel is the result of various causes. One is the merit of the book itself.

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It is, unquestionably, a work of genius. It has defects of conception and style, exhibits a want of artistic skill, is often tame and inadequate in description, and is tinctured with methodistic cant; but, with all its blemishes, — thought, imagination, feeling, high moral and religious sentiment, and dramatic power shine in every page. It has the capital excellence of exciting the interest of the reader; this never stops or falters from the beginning to the end. The characters are drawn with spirit and truth. St. Clare is a person of talents and education, high-minded, generous, and impulsive; the influences of his position and circumstances on his character are well developed. Ophelia is an admirable picture of a conscientious, practical, kind-hearted, energetic New England woman. St. Clare's wife is well imagined, but somewhat overdrawn. The Shelbys are worthy, amiable, commonplace people, soberly and truly sketched. Legree is a monster, and is painted in strong colors; but the picture wants truth and minuteness of detail to bring out the conception, for no woman's hand could properly describe him. The pencil that drew Front de Bœuf, Dick Hatteraick, and William de la Marck would have made him start from the canvas. We fear he is not exaggerated. There are many such at the North and South; only, in the North, we do not give them so much power, and they sometimes, when not saved by the "ingenuity of counsel," or an executive pardon, or the sympathy of a jury, or the lenity of an elected judge, meet their reward in the dungeon or on the gallows. Eva and Tom are dreams; the one is a saint, the other an angel. But dreams are founded on realities, and "we are all such stuff as dreams are made of." These characters are both exaggerated; but to color and idealize is the privilege of romance, provided the picture does not overstep the modesty of nature or contradict nature. There are no Evas or Uncle Toms, but there are some who possess, in a lower degree, their respective virtues. Many a home has been blessed by the presence, and darkened by the departure, of a child, whose early intelligence seemed inspired, and whose purity, sweetness, and love were too delicate to mingle with the coarse passions of the world; — and many an old family servant in the South is distinguished

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for probity, fidelity, truthfulness, and religious feeling, and, slave though he be, is the object of respect and attachment.

But whatever may be the literary merits of Uncle Tom, they do not account for its success. It exhibits by no means the highest order of genius or skill. It is not to be named in comparison with the novels of Scott or Dickens; and in regard to variety of knowledge, eloquence, imaginative power, and spirited delineations of life and character, manners and events, it is inferior even to those of Bulwer, or Currer Bell, or Hawthorne. Yet none of these have been read and talked of, for months together, by Europe and America, or have sensibly influenced a great moral movement, or have disturbed whole communities by the dread of a social revolution. It is true, that, were Uncle Tom not well written, it would not have produced these effects; but the result is so disproportioned to its merit as a work of art, that we must look to other causes. The book has one idea and purpose to which it is wholly devoted. Its sole object is to reveal to the world the nature of American slavery, and thus to promote the cause of abolition.

Now this subject of slavery is one in which the world, or at least the reading and thinking part of it, which has become a very large part, just now takes a very lively interest. In Europe, the dream of political liberty, in the sense of the French Revolutionary school, has vanished. It has been discovered, after repeated and most disastrous experiments, that it means the absolute power of the mob and its demagogues; that equality means plunder, and fraternity, massacre. The people of France have discovered, by bitter experience, that there, at least, democracy is inconsistent with freedom, property, and civilization; and they have acquiesced quietly and cheerfully in a strong government, supported and guided by the public opinion of the rich and educated, and surrounded by bayonets to protect property and order, and keep the dangerous classes in subjection.

Disenchanted on the subject of political liberty, disgusted with Kossuth, and Mazzini, and Louis Blanc, tired and out of humor with Poles and Hungarians, with French Revolutions, Chartist movements, and Irish rebellions, which have ended in

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nothing but sound and fury, because destitute of truth and reason, adequate cause, virtuous motive, or definite purpose; — their sympathies have found an object in the condition of the negro slave. Political liberty, in the democratic sense, they have found a delusion; but personal liberty is quite another thing. They can understand why it is dangerous to the security of society to give political power to the ignorant and reckless mob; but they cannot understand why it is necessary for any community to deprive a portion of its people of all civil rights whatever, and reduce them to the condition of property. They see a great, prosperous, and civilized democracy, advancing with rapid strides to the position of a formidable power, rivalling them not only in wealth but in refinement, boasting of liberty, advocating liberty, openly and avowedly giving countenance and support to every revolutionary movement among their discontented classes, — yet all the while, holding four millions of its own people in abject slavery, and defending with warmth and defiance its right so to hold them. This strange inconsistency provokes comment and discussion. The subject is not a new one in Europe; late events have revived it there. Constant intercourse with us has brought it closer to their minds and feelings. They see in it an incongruity, — a contradiction to the advanced culture, the enlightened intelligence, of the age, a stain and blemish on the common humanity and civilization of the world. They have got rid of it themselves; personal slavery with them is matter of history. It lies behind them, among the barbarisms of the past. They regard it as a wrong and an evil which ought not to exist, and which, therefore, the good, the wise, and the gifted should endeavor to remove by those means which have dispelled so much moral evil from the world, — by truth and reason, by argument and persuasion, by the keen arrows of invective and scorn. Mixed with these sentiments, there is, doubtless, something of national jealousy and fear, something of dislike to republican government, and of triumph at being able to point to such a blot on its mantle. But these feelings only add to the excitement of the subject, and prepare the public mind of Europe to receive, with the greater eagerness and interest, the animated pictures,

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the heart-stirring scenes, the passionate appeals of Uncle Tom.

With us, the subject is of far deeper concern. It comes home closely and immediately to our firesides and altars, to our honor and prosperity, to our peace and union. On it hang the issues of life and death. It is not an abstract question, to be discussed with philosophic serenity in the seclusion of libraries and drawing-rooms; but it involves property and security, sectional power and party power, and sweeps into its vortex the passions which disturb the repose of society and shake the stability of empires. The country has just passed through a painful and perilous crisis growing out of this question, which yet did not decide it. It still hangs like a dark cloud over the horizon of the future. The public mind, like the sea after a storm, heaves and swells with ominous agitation, and parties are mustering their forces to renew the contest. It is a question about which many are alarmed, many more are strongly excited, and none are indifferent. Viewed simply as a moral question, affecting individual conduct and the condition of millions of human beings, it is one of deep and serious interest; but involving, as it necessarily does, a vast amount of property, and connected, as it has become, with party strife and sectional rivalry, moderation, fairness, and reason in the treatment of it are not to be expected. A work like Uncle Tom, coming at such a moment, so admirably suited to the common mind, teaching, not by abstract reasoning addressed to the intellect, but by actual scenes and events affecting the imagination and the feelings, written, too, with so much power and beauty, is eagerly seized on by one party as a valuable auxiliary, and indignantly resented by the other as a new attack. It becomes at once the topic of animated criticism and discussion, and the result is — it is read by all.

Another cause of the wide-spread popularity of Uncle Tom is its foundation in truth. It is a highly-colored description of a reality. This is undeniable by any one who can reflect on what must be the consequences of absolute and irresponsible power, bestowed without reference to character. Here is the real source of the power of the work. Were it a mere

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fanciful picture of ideal scenes, it would have already taken the place of other falsehoods, and been forgotten; for it does not pretend to be a work of mere imagination, and if it did, it wants the creative power, the touches of genius, that could give it life as such. If it be not founded on truth, it is nothing. It has been accused of exaggeration, and it is said that the imputed atrocities are exceptions to ordinary usage. But the charge of exaggeration admits the substance, and to acknowledge the exceptions yields nearly the whole case; for the favorable view of Southern life is given by Mrs. Stowe as well as the unfavorable, and she does not say or imply that brutal violence and cruelty are either universal or general. The main points, the state of the law and the existence of practices under it which are inconsistent with enlightened and Christian humanity, and which are not prohibited, are even sanctioned, by the law, are not, and cannot be, denied.

This picture of slavery has astonished Europe and the North. It has astonished many also in the South, who, judging of the state of society only from what passes before their eyes, are ignorant of the existence of what they do not see, or indeed of the true meaning and nature of what they do see, until their attention is forcibly called to it. Nothing is more common than such ignorance of what is passing around us. How few know or think of the scenes of misery and destitution in our cities; yet they exist within a few squares of the comfortable and luxurious homes of wealth, and we see beggars in the streets every day. Now and then, a statistical account, or a police report, or an investigation made for charitable purposes, reveals them to us. Otherwise we should know nothing about them, and perhaps indignantly deny that, in this land of plenty, in New York and Philadelphia, thousands live in all the wretchedness of extreme want, or that the percentage of poverty and crime equals or surpasses that of London.

Some years ago, certain statements were published showing the condition of the children who worked in the English factories and mines. These statements produced universal horror and disgust. The attention of Parliament was called to the subject, investigating committees were appointed, and

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remedial laws passed. The amazement and indignation universally expressed by the journals of the day showed clearly that very few people knew any thing about the painful reality which these examinations brought to light; and, doubtless, had the charge been made without the proof, hundreds of sensible persons, living in the neighborhood of these very factories and mines, would have rejected, with warmth, the idea that such a state of things could exist in England.

So it is with slavery. Very few in the North have more than a vague and general idea of it. No precise and definite images that mark its character have been presented to their minds. They have never seen the slave-pen, or the slave auction, or the slave-gang chained and driven along the road to market. They have never visited the Calabooze at New Orleans, or the Sugar-house at Charleston. They have never seen the wife sold from the husband, the child from the parent; nor made acquaintance with the negro-trader, the negro-catcher with his trained dogs, or the negro-whipper, professions unknown in the Northern States. Very many in the South, too, are almost equally ignorant of such things, and those most ignorant from whom we are likely to hear any thing on the subject. These have seen slavery in its mild and beneficent aspect, in the old homesteads of Virginia and Carolina, where hereditary attachment and enlightened humanity have softened and mitigated the system. The evil of it, though around them, they have not noticed, or not thought of as evil; the good they know and are familiar with, and it is difficult to make them believe that the evil exists; just as it would be difficult to give to the amiable mistress of a sumptuous and decorated mansion in the Fifth Avenue or Walnut Street, a distinct and adequate idea of the misery and degradation of the dens and alleys of Southwark or the Five Points. We are all very prone to believe that our little sphere is the world; and it is a true saying, that one half of mankind do not know how the other half live. Those who, having eyes, see not, and ears, hear not, are greatly the majority; and the chief office of the preacher and teacher, the poet and the thinker, is to tell us what we are, and to show us the things that are before and around us.

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It is true, that, in some of the Southern States, particularly in Louisiana, there are laws providing for the protection of the slave from excessive cruelty, and for his proper treatment in regard to food, clothing, and labor. But they are so vague and general, encumbered with so many conditions, so easily evaded, and so very lenient to the master, that it is obvious they are totally inadequate for the end in view. In no case can a slave be a party to a suit, but must find a white man willing to act for him; and in those cases most requiring the intervention of the law, the oath of the master, denying the charge, is a sufficient defence. There is also one general principle pervading the whole law of the South, that no negro can be a competent witness against a white man, which, so long as it is maintained, must render all laws, intended for the defence and benefit of the negro race, nearly nugatory.

A more signal example of the prejudices of race could scarcely be imagined; for such a principle, being contrary to reason, can proceed only from prejudice. It is founded on the vulgar idea that a suit at law is a hostile attack, and therefore, that the evidence of a negro, supporting such an attack, is derogatory to the dignity of the white man. This notion, natural enough to a party implicated, is unworthy of a government, as it betrays ignorance of the principles of jurisprudence. The first object of all legal proceedings is to investigate the facts in order to apply the law, — to discover the truth; and this principle shuts out the truth. Cannot a negro tell what he knows, and describe what he has seen and heard? And is it not sufficient that he is subjected to cross-examination, that court, bar, and jury are composed of the superior race, and that his testimony will be received with caution, because of his color and condition? Is there any danger that he will be too easily believed when his testimony is against a white man? and are not the rules of evidence sufficient to protect the jury from falsehood and deception? Modern opinion justly regards the common law as unwisely strict in some of its provisions as to the exclusion of testimony; and the courts now discourage objections to the competency of witnesses, — desiring to open wide all avenues to a knowledge of the facts. It is thought that the sanction of an

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oath, the test of cross-examination, the opportunity afforded of estimating credibility from the manner, education, intelligence, and relative position of the witness, afford sufficient security; and that it is better to run the risk of admitting some falsehood, than to incur the certain evil of excluding much truth. The law which refuses the testimony of negroes refuses what must often be the best and the only evidence in the case, and renders all laws, professedly passed for the advantage of the slave, practically ineffectual, by making it easy to evade them.

It may, with much truth, be urged, by way of extenuation and apology, that the system, on the whole, works well, as is proved by the rapid increase and general condition of the negroes in the South; that cruelty is rebuked by public opinion; that the large planters, the wealthy and educated, own the great majority of the slaves; that with these, as also with many others, they are for the most part well-fed, clothed, and kindly treated; that doubtless there is a certain proportion of bad masters, and a certain proportion of miserable, ill-used, overworked negroes; but that, in every community, violence, brutality, and ignorance exist, which produce, as a necessary consequence, much human suffering; that the statistics and police reports in the North show the existence of wretchedness from extreme want, and a constant succession of riots, brutal assaults, and horrible murders; but that it would be unfair thence to infer a general state of moral degradation, or to ascribe the presence of these evils to the institutions and domestic relations of Northern society.

To this reasoning there is a conclusive reply. It is true that, in the Northern States, cases of violence and outrage are of frequent occurrence. But they are *crimes;* they are against the law, not *permitted and sanctioned by it.* No portion of the population here is placed beyond the pale of the law and excluded from its protection. When the Southern States shall have extended the shield of the law and the care of the magistrate over every human being within their limits; when wrong, outrage, and injustice shall have been declared crimes, and punishable as crimes, whether committed against white or black, slave or free, — then only will they be en-

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titled to plead not guilty to many of the charges made against them by Mrs. Stowe. Till then, they must remain silent; till then, they must stand convicted of maintaining a system at war with the principles of enlightened humanity and Christian civilization. They must remain in a state of moral isolation from the rest of mankind, and behold pointed against them the whole artillery of the literature and opinion of the world.

This is a frightful position for any people to hold. As moral evil necessarily produces material decay and disaster, it is one in which no people can live and prosper. It is one in which the South does not prosper. There, alone, throughout our broad territory, are to be seen the tokens of stagnation and decline. In no part of it, is its progress in wealth and population comparable to that of the North. To internal weakness and disease are now added, arising from the same cause, the formidable array of public opinion in Europe and America. Such a state of things cannot continue. It must, unless something be done to remedy the evil, come, in some way or other, sooner or later, to a violent and calamitous end.

Is there a remedy? and what is it? These are important questions, and they are daily becoming more important.

The South is a valuable portion of our country. Its extent of fertile territory, its staple productions, the cultivation, refinement, and noble traits of a large portion of its people, add vastly to the power and wealth of the republic. Its rice, sugar, and tobacco increase the accommodation and luxury of mankind. Its cotton crop alone is a vital element in the industry and commerce of the world, and has become essential to the comfort of all classes in all civilized nations. The prosperity of the South advances the prosperity of the whole country; union with the South is essential to the safety, liberty, and happiness of the whole country; disunion can produce nothing but anarchy, bloodshed, and ruin. Can no way be found to reconcile interests so vast with the dictates of humanity and justice? This is the Sphinx's riddle, which we must read on pain of death.

The wealth and greatness of the South are the result of the labor of about 4,000,000 of negroes, directed by the su-

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perior intelligence of the whites. These negroes are, as a race, inferior in mental and moral force to the white race with whom they live. This inferiority is proved by their condition here and everywhere. Being the result of organization, it is a permanent inferiority. The negro is improvable to a certain point by contact with the civilized white, but only to a certain point. When that contact ceases, he relapses speedily into barbarism.

It is a law of nature, that the intellectually strong shall govern the weak; in other words, that the weak shall serve and obey the strong. As the white race is the permanently strong, and the negro race the permanently weak, it follows that so long as the two races live together, the negro must be the servant of the white.

But the negro, though inferior to the white, is still a man. He has intelligence, passions, moral sentiments, affections. He is capable of happiness and misery, of other pains and pleasures than those of the body. The laws of nature are all beneficent. If superior strength implies government, government implies duty and responsibility. The duty of the governing party is care, guidance, and protection, and it is responsible for the well-being of the party governed. From this duty and responsibility there is no escape. Whoever has charge of another incurs thereby an obligation of the highest character, which cannot be neglected, either by an individual or a nation, without incurring a heavy penalty. This obligation is a consequence of the great moral law of nature, which commands us to do good when in our power, to love our neighbor, to love even our enemies, to do unto others as we would that others should do unto us, and which binds together all men in one brotherhood, whatever the differences and distinctions of rank or race or nation.

If these principles be correct, it follows, that the negroes in the South are naturally and permanently the servants of the white race; that it is the duty of Southern legislatures to provide for their proper treatment, and to protect them from violence and outrage. The masters must be required to perform the duty of masters; so far as the law can compel, they must be compelled to exercise justice and humanity, kindness

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and care. It follows, also, that these same legislatures are responsible for the happiness of these 4,000,000 of toiling human beings; that in withdrawing from them the protection of law, in declaring that they do not and will not regard their welfare, but simply the profit of their owners, and thus delivering them up helpless victims to occasional brutality and vice, they have failed to perform a solemn duty.

These 4,000,000 of negroes, with their humble capacities for enjoyment and improvement, are worthy and meritorious objects for the attention and care of a wise and humane government. They are here. To send them away is impossible; to emancipate them, equally so. It would destroy great interests, it would endanger the peace of society, it would be disastrous to themselves. Ignorant, improvident, without self-sustaining energy of character, and of limited intellectual faculties, they are incapable of providing for their own support or caring for their own interests. Freedom to them would be like freedom to children, or to the domestic animals. It would be helplessness, abandonment, the absence of guidance and protection. Thus deserted, indolence, vice, and poverty would speedily degrade them below even their present condition, and they would gradually dwindle away and disappear, as they are disappearing in the North, where they are left to themselves to struggle with difficulties too great for their strength, difficulties arising from climate and social circumstances which do not exist in the original seat of their race, and which therefore they are not fitted, by nature, to encounter.

The negro is naturally the servant of the white man, because all mental inferiority is naturally the servant of mental superiority, the degree of servitude varying with the degree of inferiority. It is his happiest position. His docility, his good temper, his bodily vigor, his intellectual weakness, all fit him for it. As a servant, under just treatment, he thrives and rejoices, and is tormented by no ambition for a higher sphere. He is a servant in the North. The menial labors, the drudgery of society, to obey always and never to command, to be forever one of a degraded caste, are his portion there. He has the privilege of choosing his master and his

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employment; but on the other hand, he must take care of himself and his family, a task often too great for his feeble powers, amid the energetic stir and competition of a stronger race. But he has one advantage. Servant though he be; inferior by nature though he be; though he may neither sit in the legislature, nor on the bench, nor vote, nor enter the jury-box, — the law cares for him and protects him. He has civil rights, the right of self-defence, the right to wife and child, the right to hold property. Acts criminal and punished by law if committed against a white man, are equally criminal and punishable if committed against him. These rights are accorded to him in the North by the governing race, — some of them because it is just under all and any circumstances to give them; others, because the condition of society makes it safe to give them.

The negro is a servant in the North, but he is a slave in the South. Slavery is another and stricter form of servitude. The slave cannot choose his master, or his employment, or his place of residence, or acquire property. He may be compelled to labor, and his master has control over him, and may punish his vices, his idleness, his disobedience, or insubordination. This condition is imposed on the negro in the South, because the circumstances and interests of society there require it. It is rightfully imposed; for the white race are the natural rulers, and may justly regard their own safety and welfare as objects of paramount consideration. For these they must provide at all hazards; but, in doing so, they must not violate humanity and justice. They have among them this vast multitude of helpless and dependent beings, from whose labor they derive their wealth and importance. Slavery with them is a necessity, whatever may be its evils. The peace, security, and prosperity of society, the interests of commerce and the arts require it; the well being and safety of the negro himself require it. But the laborer is worthy of his hire; and thou shalt not muzzle the ox that treadeth out the corn. The free negro of the North makes his contract for his labor, and the law enforces it; he can defend himself and his family from aggression and outrage, and the law sustains him. The slave is deprived of the right to make a contract, of the right to

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defend himself and those dear to him, and the law should itself be to him all that it has taken away. The very helplessness, dependence, mental inferiority, and hard fate of this humble race call loudly, with the commanding voice of duty, on government to interpose, with special care, its protecting arm, to shield the slave from wrong by all the force and terrors of the law; to secure for him all the happiness of which his condition is capable.

The enormities of the law of the South, as it exists in the statutes and judicial decisions of the several States, arise from one great principle upon which the whole system is founded — that a slave is property.

This is an error. A slave is not, and cannot be, property. Such an idea is equally inconsistent with the nature of property and the nature of slavery; and it is because the institution has been thus founded on an untruth, that so much evil has flowed from it; for error is the source of all evil, and evil continually.

A slave is not property, because he is a man. A man cannot be the subject of property, though his labor may. He is not a thing. Even in the lowest forms of humanity, he has intellect, passions, sentiments, conscience, which establish his brotherhood with all men, which establish the theoretic equality of man as man, and separate him from the lower animals and material things. To man, to the race of men, the earth was given as an inheritance. Whatever he can make, or modify, or add value to, is property. But man was not given to man to possess. He is not a product of industry, but himself a producer.

A proposition so plain, it is difficult to make plainer by argument. Its truth is self-evident. No man can imagine himself to be property. Every instinct and impulse of his nature revolt at the idea. But the idea of subjection to a superior nature, of obedience and service in return for protection and care, of looking up to another for guidance and direction, is natural, arises at once from inequality of intellectual force, and pervades, in a greater or less degree, all the relations of life.

The argument that inferiority of race confers the right of

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property is an obvious fallacy. What degree of inferiority confers it? The Indians are an inferior race. Are they property? The Irish Celt is inferior to the Anglo-Saxon. Is he property? What would be thought of any State that should declare him a chattel? Is the negro the only race who can be the subject of property? With his capacity for improvement, his courage, his warm feelings, is he so low in the scale of being that he cannot be recognized as a man, but must be regarded as one of the lower animals? If so, why are there free negroes? The idea that any thing can be the subject of property which yet cannot be appropriated, is absurd. There are no free horses. Free horses in a civilized community,—that is, horses turned out and abandoned by their owners,—are the property of any one who chooses to take them. Wild horses in the desert are also, legally, the property of him who can secure them. But free negroes are protected by the law of every community; and wild negroes, that is, negroes in their native land, are also theoretically protected by the law of all civilized nations, and though often captured by violence, such capture is piracy, and no right of property can be acquired by it.

But though the law cannot regard a man as property without committing a wrong and violating the truth and nature of things, it may rightfully declare him a slave;—that is, it may determine the relation he must hold to other men. This power is inherent in the idea of government. It is constantly exercised by all governments. The only question that can arise is, not as to the power, but whether it is justly exerted in the particular case. If the truth be, as it undoubtedly is, that, under existing circumstances, it is necessary, to the security, well-being, peace, and happiness of the people of the South, white and black, that the negroes should be slaves; that is to say, not chattels, but men deprived of liberty, compelled to labor, and bound to a definite servitude,—then slavery is an institution, or social relation, which government has not only the power to create, but may justly create, enforce, and regulate. But all power is trust-power, and is coupled with duty and responsibility. It is to be exercised for the good of the governed—under penalties. This is the divine and

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eternal law. If the governing party look to its own good exclusively, its action is injustice and oppression, the punishment for which is the vengeance of the injured, or the constant dread of it; for

"Fears attend
The steps of wrong."

The slave is a party governed, for whose benefit the power to govern exists as much as for that of his master. In so far as he has been governed justly, slavery has been found consistent with his happiness and the well-being of society. In so far as he has been governed unjustly, in so far as his master's interest and not his welfare has been exclusively regarded, slavery has proved a danger and a sore evil, a disease and a canker in the state; has roused the indignation and opposition of the world, and called forth deadly passions that threaten the repose and existence of society.

There are, no doubt, some persons, — believers in the "rights of man," according to the French Jacobinical version of them, — who would deny the power of government to establish such a relation as master and slave, however much the condition of things might require it, and however carefully it might be guarded from abuse. They consider personal liberty as one of those rights, and political liberty as another. But these notions about vague and undefined rights, incapable of practical application, have been long since banished from the counsels of the wise. They are necessarily violated by every government; and, if carried out to their extreme consequences, would destroy all government whatever. The only right of man is to be governed according to the principles of truth, reason, and justice, for his own happiness. The government which suits the mental and moral condition of a nation is the rightful one, whatever its form, for that nation, whether power be intrusted to one, or a few, or many, — whether it be *by* the people or not, provided always, it be *for* the people.

No one worthy a reply would contend that political liberty, or, in other words, a share of political power, ought to be given to the negroes of the South, or that it is not, in some cases, properly withheld from the negroes of the North. Po-

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litical power is refused by all governments to women and minors, — by most governments to the very poor and ignorant, and for the same reason that it is withheld from negroes, North or South, — their presumed incapacity to exercise it. Yet, if the abstract right exist, such refusal is a wrong. So with regard to personal liberty. The law everywhere establishes various relations by which this is violated; by which one person is subjected to the will of another, under certain conditions and restrictions suited to the nature of the case. Such are the relations of husband and wife, parent and child, master and apprentice, master and servant, the master of a vessel and the mariners, the officers of an army and the troops, the commander of a ship-of-war and the sailors. In all these cases, individuals are deprived of personal liberty, and subjected to the authority, more or less absolute, of others, for their own good and the good of society. Were not *both* these objects intended and accomplished by the law, then it would be an injustice. The foundation of all these relations is the mental superiority of those to whom authority is intrusted. Slavery rests on the same basis. Government has the same power to establish and regulate this relation as others. Slavery is necessary to the repose, prosperity, and safety of the white race in the South, because of the numbers and degraded condition of the negroes; it is also essential to the well-being of the negro, because of his incapacity to govern and take care of himself, and because experience shows that he is by nature fitted for this relation, and that he thrives and is happy in it. Slavery, therefore, exists rightfully in the South. No rights of the negro are violated when he is made a slave. His right, like that of all men, is to be governed for his own benefit. Some even go so far as to maintain that a social relation, founded on the same principles, and modified to suit different circumstances, a relation more strict than that of master and apprentice, and less severe and permanent than that of slavery, might, with equal justice and much advantage, be introduced into some of the Northern States, in relation not only to negroes, but to the swarms of emigrants who crowd our shores, many of them equally degraded by ignorance, poverty, and vice, and equally needing

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care, guidance, and government. Less liberty in them, and more authority over them, would be alike beneficial to themselves and society. But as these last have not only personal liberty, but political power, and can influence or decide an election, and as their votes are more easily gained by flattering their passions than by governing them for their good, such provision can scarcely be expected; and, for our own part, we are not sure that it is desirable.

The governments of the Southern States, then, commit no wrong when they keep the negro in slavery; but they do commit a wrong, and violate the truth of things, when they declare that he is property. The consequences that flow from this distinction are most important, and show the imperative necessity of founding all institutions and all reasoning on the eternal principles of moral truth.

From the error, the falsehood, that man can be the subject of property, which is the basis of the law and practice of slavery in the South, have arisen most of the evils of the system, — the reproach and odium that have been heaped upon it, and the alienation of the Northern people. This doctrine of property once admitted, the consequences are obvious. It implies absolute control on the part of the owner, without duties or responsibilities to the thing owned. It implies that the property exists only for the benefit of the owner, which is alone worthy of regard or care; that it has no interests or enjoyments which the law can recognize. It implies that any one may be an owner, however depraved and vicious. These are the legal and logical consequences that flow from such a principle; and they are established, with few exceptions, theoretically in the law, and practically in the habits of the South; though the enlightened humanity of slave-owners has very generally softened the shocking hardness of the system, and exercised the terrible power conferred on them with a moderation and gentleness worthy of the race from which they sprang and of a Christian age and country. The power, nevertheless, is claimed by all to its fullest extent, and whilst the law gives it, the stigma cannot be effaced.

Could this false and wicked principle be stricken out of the law, slavery would then, in truth, become what its advocates

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claim it to be, one of the domestic relations. Give the slave his true position, — that of a man, of a servant, and a perpetual servant, and immediately would arise mutual duties and responsibilities, — of care, kindness, and protection on the one part, of obedience, loyalty, and service on the other, which could be clearly defined and enforced by the law. Government could then regard the slave as the legitimate object of its care and attention, could provide practically and really for his welfare, and could limit the power of the master, so as to prevent its abuse; could also say, *who should not be masters*, — controlling this relation, for the good of both parties and of society, as it does the other relations of life. The slave could be shielded from excessive cruelty, from absolute degradation; some rights could be given him; and, as his improved condition enlarged his mind, these could be, and would be, extended, until the relation would lose its repulsive features, and take its place among the kindly and humane institutions of society. All this could be done without weakening, in any degree, the authority which any virtuous and enlightened slave-holder either exercises or desires to exercise. Much must still be left with him. His power must be maintained; but the gross abuse of power, by the brutal, the avaricious, the passionate, and the vile, might be restrained.

Each party would be a gainer by such a system. The injurious moral influences of slavery upon the master and upon the community would be diminished by wholesome restraint; scenes of revolting cruelty would be prevented; a sore reproach would be removed from the South and from the country, whilst the friends of both would be encouraged and strengthened in the contests too likely to arise from this unhappy subject. The slave would be equally benefited. Not only would better treatment be secured to him, in many cases where it is now wanting, but his moral condition would be improved by the feeling that he was guarded and protected; by the knowledge that there was a power above his master, to which he could appeal from wrong and outrage. He would be elevated, in his own esteem, by the consciousness that he was working for something; that the law gave him a right to his humble food and raiment and shelter; and that he

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was better than the ox or the mule, the companions of his toil.

The truth, that the slave does really, notwithstanding the law, stand in a human relation to his master, is recognized by the practice and language of a large number of wealthy, educated, and humane proprietors. Their ideas and their conduct are in advance of the law. They speak habitually of slavery as a domestic institution, as one of the social relations. Custom and opinion among these, especially in the old States, and where families have inherited their property, secure to the slave much kindness and many privileges. Mutual attachment has grown up between the parties. A certain standard of treatment has been established in regard to holidays, food, clothing, work, discipline, and punishment, well suited to the character of the negro, and which, on many estates, could hardly be improved. This standard cannot be widely departed from without loss of character. But unfortunately the gentlemen, the enlightened and humane, those who have character and position to lose, and who can be influenced by public opinion, by any thing short of legal restraint in the pursuit of their interest or the gratification of their passions, are not appointed by the law as the exclusive owners of slaves. The trader, the speculator, who buys land and negroes to make money, and who regards the latter simply as stock, as an investment, — the mercenary, the reckless, the brutal, still remain; and to these, also, the law gives the negro as a chattel, stripped of every human right, the helpless, unshielded, uncared for victim of rapacity, of selfishness, of coarse and violent passions inflamed by the possession of absolute power.

Now, here is the point of the case. This is the evil set forth in vivid colors by Mrs. Stowe; and the only question for sane men to consider is, can this evil be remedied? — not can slavery be abolished; that is neither possible nor desirable. But can it be made to conform to the dictates of humanity and justice, to the enlightened opinion of the civilized world? This evil, like all moral evil, is the result of error, of falsehood. It follows, as a necessary consequence, from the law which says that man can be property, that a

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slave is property, which is untrue, and being so, every inference from it, whether of doctrine or practice, must be untrue and pernicious.

Let the law tell the truth. Let it say that a slave is not, and cannot be, property; that, as a man, he is entitled to justice, to the care of government, to protection from wrong, and the subject at once becomes manageable. Let the law conform to and execute the virtuous and enlightened portion of public sentiment in the South; let it really make slavery a domestic institution; let it enforce, universally, in the treatment of slaves, the customs and habits which have grown up among respectable masters; let it describe slaves, not as chattels, but in the wise and truthful language of the Constitution, as "persons held to service and labor;" and a new light would break in the horizon over this terrible subject, the light of dawn. We might then hope for day. Slavery would assume a new aspect. It would put on the robes of justice and truth. The Southern people would then have an answer to the charges made against them. They could say, we have this race among us. They are bound to us, and we to them, for good and for evil. To get rid of them is impossible; to emancipate them, equally so. It would involve calamities far worse than slavery to us and to them. The only thing that remains for us to do is to take care of them, to govern them for our welfare and their own; and that we are doing, that we mean to do.

Had this been done heretofore, there would have been no abolition party, and Uncle Tom would never have been written. Were it done now, its influence on opinion would be immediately felt. The chief argument of the abolitionists would be taken away. The moral sense of one half of the country would no longer be revolted at the life and habits of the other; the moderate, the judicious, the lovers of their country and of humanity, those who regard the right and the true as above country, above life, above every thing earthly, could give to slavery their support and aid; the fanatic, the demagogue, would be disarmed, and the frightful dangers which surround the agitation of this subject might be averted.

Whatever the motive of Mrs. Stowe's books, their effect

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will be good. They point to the truth, and the truth is always beneficial. It is the one thing needful in the management of all affairs. In the novel, the truth is not merely told; it is painted; it addresses the imagination and the feelings. Being thus put into a popular form, the multitude, on whom abstract reasoning would be thrown away, can understand and appreciate it. Curiosity, discussion, investigation are stimulated, and public attention forcibly drawn to the subject. The Southern people are put on their defence. In this contest, they have no State rights, or constitutional rights, to fall back upon. These are no barriers against reason, truth, and justice. They must reply, and are driven to apology, extenuation, denial, or confession, — at all events, to examination and discussion, from which some practical good may be hoped. Their condition is thus revealed to themselves, the good as well as the evil of it; and there are among them so much wisdom and virtue, so much cultivated intelligence and moral worth, that they may well be trusted to find remedies for the evil, and to hold fast to the good.

Mrs. Stowe has also, in her novel, unconsciously and unintentionally, done the South a service, by showing very clearly three things of great importance.

First, that the general condition of the slaves, notwithstanding many exceptions, is a happy one, well suited to their nature. The Shelbys may be regarded as a fair picture of the majority of masters, because they are a fair specimen of the majority of families of respectability and easy fortune everywhere. With such masters and such treatment, the negro is as well placed as he can be. He has kindness and care, government and guidance, and is exempt from the miseries of poverty, idleness, and vice. His position is better than that of most of the free negroes in the North, of the peasantry of many parts of Europe, and infinitely better, in all respects, mental, moral, and material, than that of his brethren in Africa. A similar description of the condition of the slaves on a well-ordered estate is contained in the letter of a gentleman in Virginia, at page 8 of the Key.

Secondly, the book shows, that, while the benefits of slavery may be increased and extended, its evils are capable of being

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remedied by wise and just legislation. These evils arise chiefly from the cruelty of brutal masters; from the separation of families by judicial and other sales; and from the defenceless condition of the slave with reference to others than his master.

It would swell this article beyond its proper limits, to attempt a discussion of the means by which the atrocities produced by these causes might be prevented. In the slave laws of other nations, ancient and modern, may be found provisions which would palliate or wholly remove them. It is a disgrace to the country and the age, that our laws on the subject are more severe, with the exception of the early Roman, than any other. It is obvious that the cruelty of masters might be restrained by providing for the sale of the slave who is the subject of it, and by declaring persons guilty of it incapable of holding slaves, as they are certainly unfit for such a trust. The inhumanity of separating families might be prevented by regarding farm and plantation slaves as part of the realty, so that they could not be sold from it, at least by process of law; by prohibiting the sale of slaves apart from their wives, children, husbands, or parents, unless by their own consent, properly authenticated; and by providing that such sale should be void, or that by it, the slave should *ipso facto* gain his freedom. The slave might also be protected not only from excessive severity by his master, but from the violence and abuse of others, by penal laws properly executed.

Laws founded on these principles would but enforce on all what are now the opinions and practice of respectable slave-owners. Similar provisions exist already in the statutes of some of the Southern States. That they could be made effectual, and to a great extent accomplish their object, by vigor of execution and by a different system of evidence from that which prevails, it is impossible to doubt. An enlightened public opinion, to demand them, alone is wanting; and it is wanting, not so much among slave-holders, as among those who are not slave-holders, but who vote; and whose ignorance, passions, and prejudices control government. These last, a wretched population, idle, vicious, and poor, such as grows

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up where free industry is degraded by slavery, and robbed by it, also, of employment and reward, oppose with violence every attempt to improve the condition of the negroes, because their selfishness and pride are gratified by having a class below them, whom they may insult and abuse with impunity. They are the worst enemies of the slave, and their liberty, or political power, the greatest obstacle to any scheme for his benefit.

Thirdly, no one can read Uncle Tom without the irrisistible conviction, that the Southern people alone can deal with this subject. Slavery, as this work shows, is so interwoven with all the relations, interests, and habits of their lives, that they only, who are thus in contact with it, can properly understand and manage it. It is no light task; and we believe that this novel, though written in no friendly spirit, — written, indeed, with much of the bitterness of fanaticism, — will have a happy influence in convincing the liberal and enlightened among the Southern people of the necessity for reform, and of stimulating them to the work.

Much has been said of the evils of slavery; and it is a remark that passes current with most persons, that it is a social and political curse. It would be more correct to say, that it is an evil for any country to have any portion of its people who are fit subjects for slavery. It is not slavery that is the curse of the South; it is Africa. It is the presence of an alien, inferior race, with whom amalgamation is degradation and corruption of blood, who can never be citizens; whose natural tendency is not to improvement, but to barbarism; who make industry ignorant, unskilful, and abject; who form no part of the people, though a large proportion of the population; and who are thus a source of weakness, and not of strength. This is the curse; and it would be infinitely greater, were this degraded population free instead of being slaves. It is the punishment for the lawless rapine that tore the negro from his native sands, — for the nameless horrors of the middle passage, — for all the atrocities of the slave-trade. A portion of the South being so largely African, slavery is a necessity.

Wherever the white man can work, negro labor, slave or

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free, is an evil; but wherever the climate does not permit him to work, it is not an evil, if properly regulated. It is better that countries thus situated should be cultivated, producing, as they do, so much that adds to the wealth of the world. Without negro labor, they must be a wilderness, and in them, negro labor implies slavery. In the northern slave States, slavery is gradually disappearing. With them, emancipation is possible and desirable, and must happen in the progress of wealth and agricultural improvement; for skilful, intelligent labor always drives inferior labor out of the market. Thus, natural causes are withdrawing slavery from the North to the South; from the region of wheat and grass, where the white man can work, to the region of cotton and rice and sugar, where he cannot work; from the farm to the plantation. There it must remain, or the land must be abandoned; and there, if under humane and just direction, it may be rightfully maintained, to the advantage of the country and of civilization.

Thence, too, it seems likely to extend. Vast prospects are opening to the South, vague and dim now, but becoming daily more definite in the nearing future. Regions of undeveloped resources, and inexhaustible fertility, lie around the Gulf of Mexico, our Mediterranean, awaiting the hour when the valor, enterprise, and knowledge of a superior race shall call forth their stores of boundless wealth, to give fresh springs to industry, wider scope to commerce, new materials for the arts, immense increase to the accommodations, luxuries, and refinements of civilized man. All this may be won, and, in those climates, can only be won by the labor of the negro, guided and directed by Saxon intelligence. But it must be rightfully won. It is a rich harvest; but it cannot be reaped by tyrants and oppressors. For such, no harvests ripen. By the eternal law of God, failure, disaster, decay, and misery are forever linked to cruelty and injustice. This truth shines with divine light on every page of human history. Well-being comes only of well-doing; and if, in the reckless greed of gain, the callous calculations of avarice, the Anglo-American, in that day when he shall lead the negro to these new fields of labor and wealth, should disregard the welfare of his

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humble companion; if he care only for himself and his gold, and, carrying with him the arts and the cultivated mind of civilization, forget the moral virtues that can alone sustain him, the negro will be terribly revenged. Out of his wrongs will come the punishment of his oppressors. Fear will dog their steps; the hatred, enmity, and opposition of the world will meet them in all their enterprises; their energy of character, their intellectual power, will wither and decay in the foul atmosphere of selfishness and crime, and they will themselves share the degradation they impose;

> "Thus even-handed justice
> Commends the ingredients of our poisoned chalice
> To our own lips."

They may succeed for a time; they may grow cotton and rice and sugar, and make money; but, like all ill-gotten wealth, it will prove; not a blessing, but a curse. The punishment will be sure to come at last. As Carlyle says: —

"Foolish men imagine, that, because judgment for an evil thing is delayed, there is no justice but an accidental one here below. Judgment for an evil thing is many times delayed, some day or two, some century or two, but it is sure as life, it is sure as death. In the centre of the whirlwind, verily, now, as in the oldest days, dwells and speaks a God. The great Soul of the world is *just*."

The fate of St. Domingo, of Cuba, and of Jamaica is full of instruction and warning.

One word more. It is said, perhaps truly, that the existence of this Union depends on the execution of the fugitive slave law of 1850. That law is not liked at the North. By some, it is openly and vehemently denounced and opposed; by many, it is reluctantly acquiesced in, as a hateful necessity. There are very many whom this law places in a most painful conflict between their reverence for right, and their love and duty to their country. They appreciate fully all the evils of disunion; they also appreciate fully all the shame and misery of living under a law that shocks their sentiments of humanity and justice, and of giving to it their aid and support; for "whoso consents to wrong doeth wrong." A law which is thus revolting to the conscience of a large portion of the people, and

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the best portion too, those who have a conscience to be revolted, is a narrow foundation on which to build the existence and safety of a great nation; — a narrow and weak foundation, which must constantly need the props of self-interest and party management, the underpinning of "compromises," to keep it up. Self-interest, party drill and tactics, commercial relations, railroads and telegraphs are not the stuff out of which can be made the bands which unite man to man as a brother. When alienated feeling has been produced by *moral disapprobation*, there is already disunion. The invisible central cord is broken, and its outside wrappings of paper constitutions, commercial ties and party ties, will show what they are made of at the first strain. The main timbers of the house are rotten, and the next tempest will prostrate it to the ground. The people of the North, — not the mob, or the worshippers of mammon in the cities, — but the people who dwell on the peaceful farms, who plough the hills and valleys, and reap their harvests, who are daily accustomed to the sight and the companionship of free, hopeful, happy, and law-guarded industry around them, are no admirers of slavery, because they consider it another name for cruelty, oppression, and tyranny. When they see a man escaped from such a state, their first impulse is to assist and protect him, not to send him back. When they see him seized by the officers of the law; when they are told that he is a piece of property; that they must help to send him back, or give their support and encouragement to those who do; that this law must be executed on pain of disunion, on pain of national death, — there arises at once a hard and doubtful struggle in their minds, between their sense of duty as citizens and their feelings as men; between their love of country and their love of humanity and justice; between the claims of the law and all the influences and teachings of their habits and lives.

If, however, they could look on the runaway, not as a man unjustly claimed as a chattel, but as a person who has rights secured to him by law, as a servant who had fled from his master, as one who really *owed* "service and labor" in return for support and protection, and who had wrongfully and foolishly left a position well suited to his mental and moral con-

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dition, thousands of honest and well-meaning men, who now oppose, or refuse their countenance and aid to, the fugitive slave law, would with joy and alacrity give it their support. The abolitionists would dwindle to an insignificant faction; fanaticism would lose its chief source of excitement, and the demagogues a topic for agitation. The subject of slavery would no longer be regarded as a weapon in party contests, as a means of influence and power in the ever-recurring strife of President-making, to which our politics seem now to have degenerated. It would thus be left, where alone it can be placed with safety, in the hands of the Southern people, who would be responsible to the country and to the world for its just and wise management. According to that management will be towards them the feeling of the North, — either coldness and aversion, or the sympathy, respect, and love due to worthy countrymen and brothers; and these are bonds stronger and more enduring than cotton and corn, than iron rails or iron wires, to preserve the Union, and to bind us together, not only as one nation, but as one people.

ART. VIII. — 1. *England under the Reigns of Edward VI. and Mary, with the Contemporary History of Europe, illustrated in a Series of Original Letters, with a Historical Introduction and Notes.* By PATRICK FRASER TYTLER. London. 1839. 2 vols. 8vo.

2. *Lives of the Queens of England, from the Norman Conquest, with Anecdotes of their Courts; now first published from Official Records and other Authentic Documents.* By AGNES STRICKLAND. Vols. V. and VI. Philadelphia: Lea & Blanchard. 1850.

THE authoress of the latter of these works, by her lively yet learned treatment of a subject on which both her talents and her sex entitle her to be heard, has aided in disabusing the popular mind of a traditional prejudice which many historians

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of great reputation had done their utmost to confirm. No impartial reader of her Lives of Mary and Elizabeth Tudor can believe that the elder sister deserved to have the ugly epithet of "Bloody" prefixed to her name, or that the younger, great as was her popularity, and glorious as was her reign, possessed any of those endearing qualities which the fond appellation of "Good Queen Bess" would seem to imply. But the fair writer's zeal has led her somewhat too far. She has done much to disseminate an error precisely opposite to that which she has labored to remove. If her representations should be accepted in their fullest extent, the objectionable epithets will continue to be used. The application alone will be reversed. The world will, hereafter, speak of "Good Queen Mary" and "Bloody Bess."

In all the sovereigns of the house of Tudor, the natural texture of the character, so to speak, was the same. The fibres were coarse and strong. In the women, we observe no beautiful or delicate trait, no grace of thought, no glow of feeling; in the men, there was no generosity, no magnanimity, no chivalrous sense of honor. In all, there was the same stubbornness of will, the same coldness of heart. It was a hard, unyielding nature, — not reckless when impelled by passion, not gentle or amiable when controlled by principle. We abhor the insensibility with which it trampled on its victims, but admire the steadiness of purpose by which it triumphed over all obstacles. While the vacillation and want of energy inherent in the Stuarts, from the first prince to the last pretender in the line, twice lost them a crown, of which few wished to deprive them, and twice prevented them from regaining it when fortune was propitious; the constancy and resoluteness that so eminently characterized the Tudors enabled the founder of the dynasty to establish himself upon a throne to which he had not the shadow of a rightful claim, and his successors to maintain themselves in more than one crisis of extraordinary peril. With shades of difference in its manifestation, strength of will predominated in the character of every member of this family. It was displayed alike in the quiet and wary, but unwavering, persistence of Henry VII.; in the selfish, sensual obstinacy of Henry VIII.; in the conscien-

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tious, if unenlightened, inflexibility of Mary; and in the haughty, yet politic, firmness of Elizabeth. The first of these princes, whatever may have been his faults, was governed, in the main, by no baser passion than ambition, and his astute and indefatigable policy harmonized with the exigencies of the time. Elizabeth, with higher intellect and larger views, placed herself among the foremost champions of a cause on which the future of Christendom depended. The course pursued by Mary neither furthered the development of the nation, nor ran parallel with the tendencies of the age; but her motives, at least, were respectable; she acted in accordance with what she believed to be the strongest of all moral obligations. But Henry VIII. was neither guided by political principles nor by a mistaken sense of duty. In his character, the peculiarities of his race assume their most repulsive aspect; and we doubt if the record of a career, so utterly, so brutally, selfish as his can be found in the annals of history. There are names, "at which the world grows pale," of men who, impelled by demoniacal frenzy, have passed from crime to crime, until their natures seemed to lose all semblance of humanity. Nero, endowed, perhaps, by nature, with an excess of sensibility, was steeped, while yet a boy, in all the infamies of the accursed age in which he lived, and reached, at last, an abyss of insatiable desires, when the lust of pleasure and the lust of blood were one. The madness of uncontrollable appetites goaded that wretched heathen soul onward in its course of stupendous wickedness; and if the victim paused, if moments of reflection came, Remorse herself seized the scorpion whip, and drove him towards his fearful doom. Henry's character was of a different stamp. His was not a weak and susceptible nature, dragged by the impetuous current of an evil age into a vortex of insane desires. There was a method in his fury, very unlike the wildness of desperation. His intellect, though shallow, was clear; his will was inflexible; his heart was wholly callous. No affection, no loyalty, ever awakened a corresponding feeling in his breast, or even the faintest consciousness of what he ought to feel. Neither argument nor entreaty could move him from a selfish purpose. Wolsey sometimes knelt before him for

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hours, vainly endeavoring, by all the arts of persuasion, to shake his determination. An intense egotism pervaded his nature. He valued men only as they ministered to his gratification or his ease, not for any intrinsic qualities of their own. When he was weary of them, or no longer needed them, if they opposed his nefarious schemes, or if their rectitude but silently reproached him, he crushed them and forgot them. The trustworthiness of virtue and the subserviency of vice were of equal estimation in his eyes. The great services of Wolsey, the integrity of More, the base compliances of Cromwell, received a like reward from his impartial brutality.

But this is not the depth of his infamy. He was incapable of feeling in cases where the most inhuman feel. He knew no shame for actions of which depravity itself is ashamed. He forgot things which the most ungrateful remember,— things which are remembered by most men when they have forgotten the weightiest benefits. He sent women from his bed to the scaffold, and no recollection of their embraces brought a blush to his unmanly cheeks. He cast off the incomparable wife, on whose faithful bosom he had reposed for fifteen years or more, and used all the arts of malice and of meanness to torture the miserable remnant of her days. He consigned to an ignominious death the accomplished woman, to gain possession of whom he had made a revolution in his kingdom and agitated all Christendom, and the ignorant girl who had been his wife for a month. He caused his daughters to be virtuously educated, and branded them as illegitimate. What a wretch must this have been, who never saw in his dreams the forms which he had caressed, and which the headsman had mangled! Who can look without disgust at that face which Hans Holbein's faithful pencil has transmitted to us? — the small pig's-eyes, the drooping, flabby, greasy cheeks, — these would have revealed the man, had history been mute, — the man destitute alike of principles and of affections, who never experienced an emotion of love, of pity, of gratitude, or of remorse.

No person of ordinary, unsophisticated feelings ever read the history of this monarch without the strongest sensations of horror and contempt. Yet Henry VIII. has been very

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leniently dealt with by nearly all Protestant writers, who have fancied, that, among this mass of vices, they could discern indications of a nature originally noble. The faults of his character have all been traced to the too early possession of arbitrary power, and to the sycophancy that stimulated every evil propensity. His easy manners, his frank and careless speech, have caused men to believe that "Bluff Harry" had, after all, a naturally good heart. It is true that he was not a hypocrite. He had not the refinement of intellect or the regard for men's opinions necessary for hypocrisy. But this free and unceremonious address, these apparent marks of good humor and good fellowship, betokened only a nature satisfied with itself, and accustomed to give free play to every selfish impulse. Far from indicating any kindly feeling or personal regard, these nauseous familiarities were lavished upon persons to whom he behaved with inconceivable baseness. We know, from the best evidence, that the hardened nature of the man was visible to every observer not blinded by his own vanity. When Roper congratulated his father-in-law upon the loving demeanor of the king, who had put his fat arm about the Chancellor's neck as they walked together in conversation, "Son Roper," replied the keen-sighted More, "if having my head would win him a castle in France, it should not fail to go." Sharon Turner finds a proof of Henry's magnanimity in the fact, that when Reginald Pole expostulated with him on the violence of his measures, Henry, whose hand, while he was speaking, played with the dagger hanging at his girdle, preserved sufficient self-command not to thrust the weapon, as he felt strongly inclined to do, into his kinsman's breast!

Hallam, who applauds the affability of his manners and the generosity of his temper, observes that "after all, Henry was every whit as good a king and man as Francis I., whom there are still some on the other side of the Channel servile enough to extol; not the least more tyrannical and sanguinary, and of better faith towards his neighbors." Francis I. (whose character, as he has been dead these three hundred years, we cannot imagine any Frenchman of the present day extolling from servile motives) was, doubtless, an arbitrary

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prince and a licentious man, whose example gave its tone to the most profligate of courts, and who oppressed his subjects by such exactions as were never tolerated by the English nation under the most despotic of its sovereigns. But we do not remember to have read that he punished loyalty and fidelity as crimes; that the men who were most devoted to his service were consigned, one after another, to ignominy and death. He was unfaithful to his wife; but he did not degrade her from her rank, or deny her the company of her children, or strip her of the comforts of life, and assign her a residence where the unwholesome air swiftly terminated her existence. The women who shared his sensual pleasures were not afterwards the victims of his brutal temper. Madame d'Estampes did not perish by the sword of the executioner, but is credibly reported to have survived her royal lover. The children of Francis were not made the objects of public stigma, or treated with insolence and harshness by his parasites. No one ever expressed a wish, in his presence, that the head of the king's daughter were "from her shoulders," in order that he might "toss it with his foot." The veneration which Francis showed for his mother, his regard and affection for his sister, the ardent love which he bore to his children, the delicacy of his behavior towards his daughter-in-law, on an occasion when delicacy was something more than courtesy,* are traits recorded not merely by his "servile" countrymen, but by the intelligent Venetian ministers, whose practice it was to furnish to their government secret and faithful reports of what came under their observation. If a prominent feature in the character of the French monarch was love of applause, the conduct by which he often endeavored to gain approbation was of that kind which most deserves it. "Take back

* "Henry, the second son of Francis I., who was now dauphin, was married to Catharine de Medici, of Florence. For a long time they had no children, and, as she was by many not deemed his equal in birth, the idea of sending her back to Florence began to be spoken of. Catharine herself, wise and resolute as she was, came to the King, and offered to depart, whilst a flood of tears choked her language. 'My child,' replied the King, 'as God has willed that you should be my daughter-in-law, such shall you remain.' This act is worthy of high estimation, for Francis was anxiously fearful that none of his sons would have male issue, and that his race would, therefore, become extinct in the second generation." *Ranke, Civil Wars and Monarchy in France*, i. 165.

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your keys," he said to the citizens of Rochelle, after the suppression of an insurrection, which the bloody chastisement that followed the "Pilgrimage of Grace" leaves us no room to doubt how Henry would have punished; — "Ring all your bells; you are forgiven; I covet only the hearts of my subjects." No one will pretend that the policy of Francis was dictated by a pure desire for the welfare of his people. But at least, it did not fluctuate with the play of his sensual appetites; it was characterized by intelligence and activity; and instead of dreaming and chattering about impossible conquests, he enlarged the resources of his kingdom, and maintained its independence against a most sagacious and powerful antagonist. And even if these points of dissimilarity did not exist, the world would still see a great difference between the bloated voluptuary, who valued luxury more than he coveted glory, and whose highest personal exploit was killing a stag in Windsor Forest, and the gallant soldier of Marignano and Pavia, whose body was hardened against the effects of exposure and privation, who slept on the ground, without removing his armor, during the night that interrupted a battle, and whose feats of daring were the favorite themes of chronicle and song.

The three children of Henry VIII., though born of three different women, all exhibited the strongly-marked characteristics of their father's race. In intellect, they were all, perhaps, his superiors; but yet, in all, it was the same intellect, distinguished rather by clearness and vigor than by subtlety or depth. They were educated, however, under very dissimilar influences; for, in the long intervals that elapsed between their births, Henry had time to change his religion and his household, to decapitate his old advisers and surround himself with new. In their characters, or, at all events, in their principles, we observe a contrast which corresponds to this difference of education. Mary and Edward were both most carefully trained, not only as regarded their intellectual culture, but in respect of religious opinions and moral principles and conduct. The views and habits thus early induced could not fail to take the strongest hold of such tenacious minds. The teachings and example of her pious mother made Mary

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a zealous Catholic. Under the influence of the fathers of the English Church — far more rigid in their notions, as is well known, than those who, after the accession of Elizabeth, remodelled the national creed — Edward became a no less zealous Puritan. He wept when compelled by the threats of the imperial ambassador to refrain from punishing his sister for her adherence to a creed which he considered idolatrous. He wept, also, when he signed the death-warrant of Joan Bocher,— not, as has been justly remarked, because he was justly affected by the thought of the shocking doom to which he was consigning her body, but because he lamented the obstinate heresy which her immortal soul was to expiate by far more fearful pains. The indifference with which this young prince regarded the persons to whom he might have been expected to show himself most strongly attached, is strikingly shown by two passages in his journal, which would have been sufficient to identify him as a Tudor, had his mother's fame not been as spotless as it was. In one of these, he says, "At another time, he (the Admiral) said, ye must take upon yourself to rule, for ye shall be able enough, as well as other kings, and then ye may give your men somewhat; for your uncle is old, and I trust will not live long. I answered, it were better that he should die." The other entry is the simple, matter-of-fact statement, under date of January 22, 1552, that his uncle "had his head cut off on Tower Hill" that morning.

The attention given to Elizabeth's education was, on the whole, less scrupulous than that bestowed upon the education of Mary, who in childhood was the heiress presumptive, and on that of Edward, who from birth was the heir apparent to the throne. The gross negligence of those who had charge of her, in all that regarded moral discipline, was revealed in the course of the investigations made, when she was in her sixteenth year, into the circumstances of her residence with Seymour and the Queen Dowager. But hers was a mind to profit more by experience than by precept. The scandal of that exposure made a strong impression on her. The buxom, hoydenish girl developed into the elegant and accomplished young woman, whose prudence, self-command, and powers of

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dissimulation enabled her to avoid the dangers so thick about her path. No sooner had she ascended the throne, than a boldness and a vigor, for which no one had given her credit, displayed themselves in every act. She desired to maintain, unimpaired, not merely the authority, but the dignity, of the crown. To this ambition all other feelings were made subservient; and hence it is, that though no sovereign ever had greater weaknesses, no one has ever thought of calling her weak. It was not her wounded vanity which made her consent to the execution of Essex. His offences against her as a woman would have been more amply punished by his abasement than by his death. But he had insulted the royal prerogative, — a crime which she never forgave; and least of all, could it be forgiven in him. However we may pity his fate, however fantastic or ridiculous Elizabeth's fondness for him may appear to have been, the stern despair with which she sacrificed that feeling to the principle from which she never swerved gives grandeur to her character, and merits our highest admiration.

Mary alone, of Henry's children, enjoyed, throughout the period when it was needed most, the blessings of a mother's watchful care. And that mother was a woman whom history and Shakspeare join in representing as endowed with all the virtues and all the graces of her sex. By her, Mary's education was personally superintended, and her purity and integrity of mind assiduously cultivated. Her natural qualities were far superior to those of her daughter. But we observe in Mary's conduct, as the result of principle and early habit, much that sprang directly from the impulses of Katherine's finer organization. The foreign envoys admitted to her presence were charmed with the deportment and the accomplishments of the young princess. Her keen dark eyes betokened intelligence. Her face, if not handsome, had a ruddy complexion; and the expression of her countenance was open and not unpleasing. The decorum of her manners was remarkable. She often took part in the masks, and balls, and other gayeties of the court; but no charge of levity or indiscreet behavior was ever whispered against her. Though treated with even greater respect than is usually accorded to

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the daughters of a royal house, there was no arrogance in her bearing, nor has vanity ever been enumerated among her faults. Enthusiastic visitors found a mixture of sweetness with seriousness, of quickness with deference, in her conversation and demeanor. Doubtless, there was a precocious gravity in Mary's deportment, and strictness in her conduct, arising partly from an innate love of order, which made it easy to accustom her to all the proprieties of life, and partly from a deficiency of that mental sportiveness and grace which prolong the period of childhood. In a lower station, the praises bestowed on her would not have been unmingled with smiles, such as are provoked by the precision and stiffness that belong to the manners of overbred young people. Mary's occupations and amusements were regulated by a code as rigid as any that was ever devised by a parent or schoolmistress. Her course of reading included the New Testament, selected portions of the Old Testament, of the Fathers, and of the principal Greek and Latin authors, the Paraphrase of Erasmus, and the Utopia of Sir Thomas More. The romances of chivalry were absolutely forbidden; and the only work of fiction she was allowed to peruse was the story of Griselda, that pattern of meek submission to domestic tyranny. Cards and dice were also placed under the ban; but to this restriction the princess probably demurred, for we find her afterwards much addicted to these amusements.

In other respects, the discipline of her earlier years left a more durable effect. Whatever there was in Katherine's religion that could be taught, or could be imitated, Mary easily acquired, and pertinaciously retained. Faith in the dogmas of the church was imposed upon her as the most stringent of all obligations; and to the authority which she was thus taught to reverence, she continued throughout life to yield implicit deference. She conformed to all the observances of her sect with scrupulous exactness. Nor were duties of a more active and practical kind neglected. She never ceased to practise those works of charity, the performance of which was enjoined upon her as not only right and meritorious, but as necessary to salvation. In the last year of her life, she is stated to have visited *incognita* the cottages in the neighbor-

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hood of Croydon, and to have distributed alms to their needy inmates. At a very early age, she became fond of officiating as godmother to children of whatever rank; and where the parties belonged to the humbler walks of life, they obtained in this way a title to her protection and assistance, which she never disregarded. She learned also to treat her servants and dependants with consideration and kindness, and to satisfy their just expectations. She never received a service which she did not avail herself of the earliest opportunity to repay. Many instances, scattered through her history, prove the sacredness in which she had been taught to hold a promise. When the adherents of Northumberland burnt Sawston Hall, which had sheltered her for a night during her flight to Kenninghall, she assured the owner of the house that she would build him a better; and the edifice which she erected is still standing, a monument of her gratitude and her truth, — qualities which are the rarest among the virtues of princes. In fact, the claims of justice, — the claims which her own conscience recognized, — Mary never overlooked. She was a faithful and zealous friend, and showed herself solicitous and active in serving those whose interests she was under a natural obligation to promote. She requited her mother's ardent love by a strong and unswerving attachment to her person and her cause. She would not abandon, while Katherine survived, those pretensions which were identified with the rights of the ill-fated queen; and in her own last hours, she gave proof of the grateful veneration with which she cherished her memory. It is unnecessary to remind the reader how Mary exerted herself to obtain pensions from the Protector for "those persons who had served her a very long time, and had no kind of living certain;" or of her applications to the Duchess of Somerset, in behalf of some who, she says, "were my mother's servants when you were one of her grace's maids."

Such traits as these justify Tytler and Miss Strickland in discarding the common view of Mary's character. Yet we do not think that she can with exact propriety be described as an "amiable woman," or that her memory, when cleared of the unjust odium which has defaced it, will wear any peculiar

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lustre. Well-shaped features do not always make a face lovely or attractive. In spite of all her excellent qualities, Mary's character has still a harsh and somewhat repulsive aspect. Her virtues were not the luxuriant growth of a rich, natural soil. Her piety, her benevolence, her gratitude, were the fruits of a rigid moral training, not of any natural sensibility. Had she been less conscientious, her attachments would not have been so strong or so durable; the record of her charities and her kindnesses would have been a meagre one. Had her heart been more tender, she could not have complied so easily on all occasions with the requirements of her conscience. The faults from which she was free, were those which may be almost always traced to a neglected education. Her life was correct, her principles were strict, her convictions were sincere, her conduct was consistent. The qualities she wanted, to entitle her to love and admiration, as well as respect, were such as no education could bestow. Her character would have needed no eulogy, if, with her dauntless spirit and integrity of purpose, it had united the delicate instincts of her mother's warm and affectionate nature. But these Mary did not inherit, and Katherine could not impart.

The glimpses we obtain of Mary's private life, during her brother's reign, give us the best notion of what sort of a person she would have been, if her lot had been cast in a less exalted station, and amid quieter scenes. She spent this period in comparative retirement, rarely visiting the court, where the religious changes of course disgusted her, and where she was not a welcome guest; while the ill health from which she suffered, and perhaps the jealousy of the government, prevented her from seeing much society beyond that of her own household. Her time seems to have been methodically distributed amongst serious studies, needle-work, alms-giving, and card-playing. A sharp and shrewish air, which belongs to most women who have had to struggle unaided with the difficulties of life, and who by their own energy have got the better of adverse circumstances, attracts our notice in much that is related of her conduct at this period. Under the powerful protection of the Emperor, she could answer the remonstrances of the court upon her obstinate adherence to the

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Roman Catholic rites with keen thrusts of feminine sarcasm, which she delivered with peculiar vigor.

A committee, sent by the Council to threaten her into compliance with their demands, met with a signal discomfiture. She rated them sharply for showing so little favor to one whose father "had made the most of them what they then were, almost out of nothing." When they told her that the comptroller of her household had been imprisoned for refusing to prevent her chaplains from saying mass, she remarked that "it was not the wisest of all councils that sent her own servants to control her in her own house; for of all persons, she was least likely to obey those who had been always used to obey her." "As to my priests," she exclaimed, "they know what they have to do, if they refuse to say mass for fear of imprisonment; they may act therein as they will, but none of your new service shall be said in any house of mine; and if any be said in it, I will not tarry in it an hour." After this "gentle passage of arms" had continued awhile, she retired to her chamber; but while the chancellor and his companions were searching in the courtyard for one of the refractory priests, Mary opened a window, and calling to them in shrill tones, (though they "offered to return to the house to hear what she had to say,") "I pray you," cried she, "ask the lords of the Council that my comptroller may shortly return; for since his departing, I take the accounts myself; and lo, have I learned how many loaves of bread be made of a bushel of wheat! I wis, my father and mother never brought me up to brewing and baking! And to be plain with you, I am a-weary of mine office. If my lords will send mine officer home again, they shall do me a pleasure; otherwise, if they will send him to prison, beshrew me, if he go not to it merrily and with a good will! And I pray God to send you well in your souls, and in your bodies too, for some of you have but weak ones." Hereupon, the deputation returned to the court to "report progress."

If Katherine of Aragon, by her early and unremitting care, laid the foundation of her daughter's irreproachable private life, it cannot be denied that she instilled into Mary's mind one feeling which proved the bane of her public career, the

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source of all the great misfortunes of her reign, and of the obloquy which has rested upon her memory. Beneath her royal garb, the daughter of Isabella of Castile concealed the habit of a religious order; but with greater pride, perhaps, than that with which she donned her richest robes, with recollections as pious and tender as those associated with the coarse garment of St. Francis, she continued, throughout her long residence in England, to wear the mantilla of her beloved Spain. Few of her affections were so ardent as her love for her native land, and for the kinsmen who swayed its destinies. Her fondest wish was, to effect a marriage between her daughter and some member of her own family, — a desire of which, happily for herself, she did not live to see the accomplishment. The contract by which Mary, in her seventh year, was affianced to her cousin, Charles the Fifth, had at least this result, that the princess, in accordance with a promise made to Charles, was educated, in certain respects, in conformity with Spanish customs, and that she learned to consider Spain as her future home, and to regard her mother's relatives as peculiarly her own. She of course acquired the Castilian, in which Katharine, who also taught her Latin, was doubtless her instructress. When degraded from her rank, Mary naturally looked to the royal house of Spain to uphold her rights. It was impossible that any strong affection or cordial understanding could exist between her and Henry's other children; at home, every friend on whom she could rely, was driven from her side; in her necessity, she was forced to seek assistance and advice abroad. All the circumstances of her earlier life tended to divest Mary, before she ascended the throne, of those strong national feelings which, in a monarch, and above all in an English monarch, have always sufficed to cover a multitude of deficiencies. This it was which, when discovered, destroyed her popularity, and consigned her name to infamy. There was one fact which should have changed the current of her feelings, and reimbued her with the patriotism which she had lost. She had been discarded by her father and her brother; the nobility had been untrue to her. But the popular feeling had never deserted her; it had been an invisible defence to her against the brutality of her father and

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the fanaticism of her brother; in the hour of extreme peril, it had risen with irresistible power, and restored to her the birthright of which she had been deprived. If there ever was a case in which gratitude was due from a sovereign to a people, this was surely it. But to her people, — to her people alone, — Mary was ungrateful. Spontaneously, and almost unanimously, they bore her to the throne; and her rule resembled at once that of a partisan and a foreigner.

While the loyal gentry and yeomanry of England were flocking to Mary's standard at Framlingham, envoys from Paris and Brussels had already arrived at London, to take part (diplomatically) in the contest, and to set on foot intrigues for turning the result to the advantage of their respective courts. "From information which we have received," says Charles, in the instructions given to Renard, "we suspect that it is intended to exclude our cousin from the succession; not only on account of her firm adherence to our holy faith, but also by reason of the jealousy with which our influence over her is regarded in England, where it will probably be imagined that we should seek to marry her to a foreign prince, who would introduce changes into the government." The envoy was, therefore, directed to remove, if possible, the suspicions of Northumberland and the other members of the actual government, by informing them that Charles himself considered it advisable that Mary should marry an English subject, who would be a more suitable person to govern the country than one who was unacquainted with its affairs. In this way their apprehensions of having a foreigner for their king — a notion which they held in such universal abhorrence, "*tant abhorry d'eulx universellement*" — would, perhaps, be allayed; while those who might suppose themselves entitled to aspire to the possession of their sovereign's hand, would naturally seek the good offices of her kinsman, whose advice might be expected to affect her decision. "If by these means," continues Charles, "our cousin should gain possession of the crown, she will afterwards be able, by little and little, to enlarge her authority; and she may then defer making choice of a husband, under pretext of consulting us, her relative and ally, — taking care, however, not to provoke suspicion as to the real cause of the

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delay. This will give time to create disputes between the principal rivals, which will afford an opportunity for putting an end to their pretensions." *

Although Charles thus assumed the tone of Mary's natural protector, he had no design whatever of supporting her right by arms.† Renard, therefore, when he found Northumberland in apparent possession of undisputed authority, and of the military resources of the kingdom, regarding Mary's cause as hopeless, and conceiving that all that remained for him was to establish a good understanding between his master and the *de facto* government, sent a message to the princess to dissuade her from causing herself to be proclaimed, representing the danger of setting up claims to a crown, even amongst a barbarous people like the English — "*mesmes entre barbares et gens de telle condition que les Angloys*" — and that if any considerable part of the nation were well affected to her cause, no proclamation was necessary, since they would take the field of their own accord.‡

A few days after this precious advice had been given and disregarded, the ambassador was able to inform Charles that Mary had been proclaimed by Northumberland himself! Hereupon he was instructed to obtain an interview, as soon as possible, with the new Queen, and, after offering his public congratulations, to inform her, in private, that the emperor had been preparing to send her aid, but had not ventured openly to espouse her quarrel, lest he might thus provoke the jealousy even of her own adherents. He had ordered a fleet, however, to be fitted out, ostensibly for the protection of the herring-fisheries on the coast of Holland, but in reality to be ready for any opportunity that might arise of giving Mary efficient succor. Charles then proceeded to offer advice, with the confidence of one who knew the deference with which his counsel would be received, as to the manner in which his kinswoman

* *L'Empereur à ses Ambassadeurs en Angleterre*, 23 *Juin*, 1553; ap. *Papiers d'Etat de Granvelle*, iv., 4.

† This is sufficiently apparent from more than one passage in the correspondence. "You well know," the Emperor writes, July 11, "that the present state of our relations with France makes it impossible for us to give any assistance to our cousin." *Papiers d'Etat de Granvelle*, iv., 25.

‡ *Renard to the Emperor*, July 7.

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should proceed, in order to "reduce things gradually to a better state;" for which purpose, the necessity of dissimulation was, of course, insisted upon; for Charles, like most of the statesmen of that age, was a disciple of Louis XI.

"Above all things," he goes on, "let her appear to act only in accordance with the views of the principal persons in the kingdom, who will thus understand that she is, as indeed she ought to be, in all respects a good Englishwoman. And you will further say to her, that it is very requisite for her protection and defence, especially in enterprises which are not within a woman's province — *que ne sont de la profession de dames* — that she should soon make choice of a husband. And if, before she determines upon the person, she should desire to consult us, we shall not fail, from the sincere affection which we bear her, to advise her freely in regard to the matter." *

But although Mary was quite as ready to receive the emperor's advice as he was liberal in the tender of it, it was not easy for the envoy to obtain an opportunity of discussing the subject with her personally. In order to avoid giving umbrage to the Council, it was necessary that their interviews should be secret. But the Queen was at this time residing in the Tower; and as all who entered the gates were subject to strict observation, Renard could not obtain access to her without exciting suspicion. Mary sent him a message to come to her in disguise. But he was too prudent to trust to the concealment of a cloak, — "*prendre ung manteau*," — and determined to wait until she should have removed to Richmond.† In the mean time, he cautiously sounded some members of the Council as to their views in regard to the marriage of their mistress. He contradicted the common report that the Prince of Spain was affianced to the Princess Mary of Portugal. To bring about an alliance between Philip and the English Queen was now the principal object of Renard's mission. Finding that the kindness with which Courtenay, Earl of Devon, was treated by Mary, had given rise to the impression that he was the man on whom she intended to bestow her hand, the envoy informed her, in a letter, that common rumor attributed to Courtenay an affection

* *The Emperor to Renard*, July 22. † *Renard to the Bishop of Arras*, August 7.

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for Elizabeth, which the princess was supposed to return, and insinuated that they were both engaged in political intrigues inimical to her majesty.*

"When I obtain an interview with her," he wrote to Granvelle, "I intend to draw her into a conversation on the subject of marriage — '*la faire tumber en propoz de marriage,*' — in order to discover whether she has an affection for any one of her own nation — which seems to me impossible, since she can have no confidence in a people with whose inconstant and treacherous character she is well acquainted." †

So great was the secrecy with which this negotiation was begun, that even Renard's colleagues, and the resident ambassador, were excluded from the knowledge of it; and as their jealousy was awakened by perceiving that some design was on foot, in which they were not allowed to participate, Charles sent them letters of recall. At the court of Brussels, no one was privy to the matter except Granvelle, to whom, by way of precaution, Renard was directed to send his despatches, instead of corresponding directly with the Emperor. Even the Regent of the Netherlands, Mary of Hungary, Charles's sister, was not made acquainted with the affair until there was good reason to anticipate a favorable issue. A message was sent to Spain to stop proceedings in the treaty for the Portuguese marriage, if it should not have been already concluded; and, in the mean time, Renard was directed, in his conversation with Mary, to throw out some hints in favor of the project, not as if he were empowered to treat upon it, but as if the suggestion came merely from himself. Granvelle warned him, also, not to commit himself by any decided opposition to Courtenay; "for should her inclinations point in that direction," he said, "she will not be prevented from following them, if she be of the same nature as other women, by any thing that you may say, which will only have the effect of making her your enemy forever after."

That Mary really entertained an affection for Courtenay seems to have been the general opinion at the English court. The French envoy was so well satisfied on this point, that he

* *Renard to Queen Mary*, August.
† *Renard to the Bishop of Arras*, August 7.

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appears to have relaxed somewhat in the vigilance with which he had at first watched the movements of his antagonist. The eager joy with which Noailles had announced to his sovereign the accession of his "good sister, Queen Jane," had changed into the affectation of still greater pleasure, when the speedy alteration in the aspect of affairs had rebuked his too sanguine disposition.* He hastened to present his credentials to Mary, and to pay court to the man who, he imagined, stood highest in her favor. The French government had received an early insinuation that Charles was not disposed to let slip the opportunity, afforded by Mary's accession to the English throne, of strengthening his own position by effecting a closer connection with his cousin. They seem to have anticipated that the Emperor would offer to renew the engagement which he had broken off so many years before. Noailles was little disturbed by the first hints that reached him in regard to Philip. He continued to invite Courtenay to "little suppers," at which he gave the young nobleman excellent advice, of which he appears to have been sadly in need, as to his conduct at court. The envoy wrote home that Courtenay was made so much of by the Queen, that she would hardly suffer him out of her presence; that she sent an attendant with him whenever he went abroad; that she designed to create him a marquis, and that his mother was her constant bedfellow. His illusion was suddenly dispelled when one of his spies at the court came to him, on September the seventh, an hour

*The French government, in their extreme anxiety to side with the dominant party, offered to send a large force to Calais for the general protection of that place in the event of a civil war. The manner in which this polite offer was received by the Governor, the celebrated Lord William Howard of Effingham, is worthy of notice. In a letter to the Constable Montmorenci, he says: "Whereas I understand by your letter that you wish me to give you encouragement to repair hither with an army, under color of defending her majesty's possessions, you will please to understand, that this city was not intrusted to me in order that I should deliver it up to your king, or to any of his servants; but to guard and keep it against you and all others who may venture to assail it, and to live and die in the defence of it, like a true and loyal gentleman. And since you have thus given me notice, be assured that if you undertake any thing against this town or the adjacent territory, I will, by the grace of God, give you good reason to repent of it. Your good friend, W. Howard." (*Ambassades de Noailles*, II., 88.) Little did this blunt and faithful servant of Queen Mary imagine that one result of her misgovernment would be the loss of this sole remnant of the English conquests in France.

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after midnight, and informed him that Philip, Prince of Spain, was to be the Queen's husband.*

This announcement was premature. That it was so, however, seems to have been no fault of Mary. However little reason she had for regarding her countrymen as "inconstant and treacherous," she certainly had no intention of marrying Courtenay. It is not improbable, indeed, that the favor she had shown him was partly designed to conceal her real feelings from her ministers and the court. It does not appear to have occurred to any of the parties interested in discovering her inclinations, that she could have any stronger reason for preferring Philip, than the ambition to make a splendid alliance. No one supposed that she was "in love," and with a man whom she had never seen. Even Charles could find no stronger reason for her marrying his son, rather than himself or Cardinal Pole, than the greater probability that she would have children by him to inherit the crown.† But when we consider the strength of Mary's attachment to her mother's family, her early expectations of being more nearly allied to it, and her constant recourse to it, when her position had been lowly and hazardous, for advice, for sympathy, and for support, we may easily conceive that now, when those dark hours were past, the revival of a design, which, even in childhood, had strongly agitated her breast,‡ might excite sensations of tenderness and hope such as she had long ceased to experience, and fill her mind with anticipations that wore the bloom of a second youth. Nor were the reports that reached her of Philip's character and manners calculated to throw a damp upon this *fancy* — soon to ripen into *passion.* She knew only that he was a rigid Catholic; that his deportment was characterized, in an extraordinary degree, by those national peculiarities which she had been taught to admire; that he was grave beyond his years; stately, yet gallant, in his behavior to ladies; and conspicuous for the talent and assiduity with

* *Ambassades de Noailles*, ii., 143.

† "*L'alliance duquel, pour l'espoir qu'elle auroit de plus tost avoir enffans, lui seroit plus à propoz.*" *The Emperor to Renard*, September 20.

‡ "Her assured love towards his majesty hath already raised such passion in her that it is confirmed by jealousy, which is one of the greatest signs and tokens of love." *Letter of Wolsey*, of April 7, 1525, cited by Miss Strickland.

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which, from boyhood, he had conducted the regency of Spain. On Mary's mind the description of these qualities could not produce an unfavorable effect. Her impatience for the emperor's proposition outstripped the cautious movements of his ambassador. The latter could not take any decisive step until he received special instructions. When he found an opportunity of speaking to her generally upon the subject of her marriage, she listened to him with a flutter of pleasure and expectation, which, in some degree, betrayed her feelings even to Renard, who does not appear to have been particularly keen-sighted in such matters.

"She laughed," he says, — "*elle se print à rire* — not once only, but many times, and gave me a significant glance, by which I perceived that it was very agreeable to her to have the subject introduced. She gave me to understand that she had no desire for an English marriage, and recurring to what we had formerly said to the Council, as to the impolicy of her choosing a foreigner, she showed me that she had interpreted this declaration as intended to meet the exigency of the occasion." *

Not content, however, with these favorable indications, Renard resumed the conversation in a subsequent interview. What then passed must have sufficiently enlightened him as to the real state of the case.

"I began," he writes, "by speaking of Courtenay, and the rumors which had been spread of her intending to confer her hand upon him. Whereupon, she told me that she had never spoken to Courtenay, except when she granted him his pardon, [on occasion of releasing him from the Tower, where he had been a state prisoner many years,] and that there was no person in England with whom she wished to ally herself — demanding of me whether the Emperor had not decided upon an eligible person to propose to her. I replied that his majesty had not yet written to me on the subject, and that I foresaw he would be some time in making up his mind, from the difficulty of finding a person of a suitable age, neither too old nor too young, [a gallant ambassador this!], whose rank corresponded with her own. I assured her that his majesty would discharge this trust with the prudence and fidelity of a parent; but that it would be easier for him to advise her if he knew something of her own inclinations, so that he might sanction them if they met with his approbation, and if not, might lay before her the

* *Renard to the Bishop of Arras*, August 15.

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grounds of his dissent. [Out upon this fellow! how indelicately he would rush into the sanctum of the lady's heart!] For my own part, I said, speaking only for myself, (*en mon particulier,*) I had thought of several princes, not yet engaged, and who were eligible matches; as the Archduke of Austria, the Prince of Piedmont, the heirs of Florence and Ferrara, and the Dauphin; but I knew of none who was of a suitable age, if she thought twenty-seven or twenty-eight too young. [Philip was in his twenty-seventh year.] Of older princes, all that occurred to me were aged or infirm.

"Hereupon, she suddenly remarked (*elle me dict incontinent*) that *his highness* [Philip] *was betrothed to the Princess of Portugal.* To which I replied, that I did not think the contract had been concluded; I had heard some talk of the matter previous to the war; but his majesty had since been too busy with military affairs to negotiate marriages, and his highness's time had been equally engrossed.

"Upon this the Queen said, she was very sorry that his highness was to wed the Princess of Portugal, for *they were too nearly related.* Those whom I had spoken of, she continued, were very young; she might be the mother of any one of them. She was older than his highness by a dozen years; *and besides, his highness would wish to reside in Spain,* to carry on the government of that country. His majesty knew the difficulty of effecting a marriage between a daughter of England and the sovereign of a foreign state. She trusted his majesty would have regard to *the necessity of the person's residing in England,* in order to administer the government; and that he would not advise her to marry any one whom she had never seen or spoken with. [Sheer coquetry — for this would have excluded nearly every prince in Europe, and she had expressed her determination not to marry a native.]

"I answered that I was confidently assured that, since matrimony comprehends two parties, his majesty would be most desirous that she should consult her own inclination before taking any decisive step. The various princes I had mentioned I knew to be worthy of such an alliance. As for his highness, I could not omit his name, on account of his many excellent qualities, his great prudence, judgment, experience, and moderation. He had been already married, and had a son, the Infanta of Spain, named Charles, who was now six or seven years old, [which made Philip appear older than the other princes of 'twenty-seven or twenty-eight' —]

"Without waiting to hear the end of what I had to say, she vowed that *she had never felt the smart of what they call love — que jamais elle n'avoit senti esguillon de ce que l'on appelle amor;* [well, she

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was not in the confessional; — the accusing spirit did not carry up that oath]; and that she had never thought about marriage till after it had pleased God to raise her to the throne. Her own wishes would lead her to remain single; but she was ready to sacrifice them to public considerations. [Yet such considerations could have had little influence on her choice, since she well knew that in marrying a foreign prince she was acting in opposition to the strongest feelings of the nation; and when her Parliament remonstrated, she told them plainly that her marriage was no concern of theirs.] She trusted the Emperor would consider well what she had said to me [about the necessity for 'the person's residing in England?'] She desired to obey and to please his majesty in all things, as if he were her own father. She should not dare to discuss the subject with her Council; it must be opened to them by a communication from the Emperor. [So, afterwards, when Count Egmont brought the formal proposal, Mary said, 'it became not a female to speak in public, on so delicate a subject as her own marriage.'] It was true that her ladies talked to her of nothing but marriage — *que les dames quilz sont à l'entour d'elle ne luy preschent d'aultre chose sinon de mariaige;* — but the members of the Council, assembled or individually, had never touched upon the topic in her presence."

"Which is the sum of what passed in regard to the said matter of marriage. I would not lose the opportunity of speaking to her on the subject; and you and his majesty can now judge for yourselves what inferences are to be deduced." *

And we, for our part, ("*en notre particulier*,") leave it to the fair reader to pronounce if Mary was heart-whole, or at all events "fancy-free."

She now waited anxiously for Charles's proposal. As often as she saw the secretary of the embassy, she inquired whether any despatches had been received from his majesty, and if the envoy had any communication to make to her.† It was her desire that the emperor should send her a letter, conveying the proposal in such terms, that it might be laid before the Council for their approbation. But this open and straightforward course did not meet the views of her crafty kinsman. If Philip came forward publicly as a suitor for the hand of the English Queen, his negotiations for a marriage with the Por-

* *Renard to the Bishop of Arras*, September 8.
† *Renard to the Bishop of Arras*, September 9.

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tuguese princess would at once come to an absolute termination. The intermarriages, so frequent in that age, between the royal houses of Portugal and Spain, proceeded from the hopes which each dynasty entertained of absorbing its rival by these means, and ultimately bringing the whole Peninsula under its own sway. Two of Charles's aunts, his sister, and his daughter, had married Portuguese princes. He himself had broken a contract with the very daughter of Henry VIII. of England whom he was now wooing for his son, in order to wed his kinswoman, Isabella of Portugal. Philip was the widower of a Portuguese princess, whom he had married at the age of seventeen; and, as we have seen, he had again made proposals for a daughter of the same house. But the Portuguese nation relished such matches as little as the English nation. Whichever family might prove the winner in this matrimonial game, it was clear that the smaller and weaker country could gain nothing by the amalgamation. Nor did the court of Lisbon regard the present project with much favor. The power, the ambition, and the astuteness of Charles caused his offers of alliance to be viewed with nearly as much apprehension as his declarations of hostility. Philip, too, was, even at this period, the most unpopular prince in Europe. Had his suit been carried on with the dilatoriness represented by Renard, it would long before have received its *quietus*. The difficulties made by the other party had occasioned the delay. "I do not think," wrote Granvelle, while he and his master were waiting for intelligence from Portugal, "that the treaty has been concluded; for those people are very slow in their proceedings when the object is one that they themselves desire, and much slower when it is one for which they have little inclination, which I suspect is the case in this instance." *

But before breaking off this negotiation, the emperor wished to be quite sure of the ground on which he was about to step. This was one reason for the strict secrecy with which he conducted the affair. He knew that "the English people naturally hated and abhorred foreigners," and "held the idea of

* *The Bishop of Arras to Renard*, August 14.

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having a foreign prince as their ruler, in universal detestation." * Yet the prize, he conceived, was one worth incurring a great risk for. There was not merely the chance of ultimately uniting England and the Low Countries under the sovereignty of his grandchildren. He also hoped that Philip would be able to control the foreign policy of Mary's government, bring the resources of the nation to his assistance, and thus enable him to give the *coup de grace* to that power with which he had been carrying on an almost uninterrupted struggle ever since his accession to the throne. Such were the schemes of a man whose constitution was broken, whose mind was distempered by melancholy, and who was looking forward to the speedy termination of his career, either by abdication or by death.

Before making a public offer to Mary of his son's hand, Charles wished to be fully assured of her sentiments in his favor, and also to gain a definite notion of the degree of opposition which the project would meet with from her subjects. Hitherto, no member of the Council had been spoken to upon the matter. An expectation, indeed, prevailed at the English court, that Charles would offer advice to his kinswoman respecting her marriage; but it was some time before suspicions began to be entertained of the negotiations that were actually going on. The ambassador wrote, that, to gain the consent of the members of the Council and the principal nobles, it would be necessary to distribute large sums of money, and to promise estates, dignities, and other rewards for their coöperation. At length, he ventured to drop a hint on the matter to Paget; and finding that that unscrupulous politician was ready to embark in the scheme, he took him partially into his confidence, and availed himself of his counsel and assistance. The emperor wrote to Paget with his own hand, and, at his recommendation, directed that some other members of the Council should be sounded; that considerable sums ("*sommes notables de deniers*") should be privately distributed among them, and promises made to them of an increase of their rank and privileges, in case of their adherence. An intimation might also be given to them that, if they were not disposed

* *Papiers d'Etat de Granvelle*, iv., 10, et alibi.

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to support the project, others, who were less impracticable, might be found to supply their places in the Council.*

It now remained to obtain from the lady herself an explicit assent to the engagement. Early in September, Gardiner, whose eyes were now opened to what was going on, made a final effort in behalf of Courtenay; but to this proposal the Queen gave an absolute rejection. The emperor then empowered his ambassador to tender to her privately, in his name, the hand of his son. Charles thought it necessary to apologize for not becoming a suitor on his own behalf; his age and infirmities afforded an obvious excuse. But he could not offer any one who was so dear to him as Philip. The envoy was directed to urge all the public and private considerations which might be supposed to render such an alliance desirable for Mary. She was requested to make a plain and direct statement of her sentiments, discarding the ceremony and reserve with which such matters are discussed between strangers. If she should express a desire to communicate with the Council before coming to a resolution, Renard was to tell her that the present question concerned only her own feelings; if she were not herself inclined to sanction the project, there was no necessity for consulting any one, and the whole affair might remain a profound secret. On the other hand, if her own inclinations were in favor of the alliance, and her hesitation proceeded merely from doubts as to its feasibility, she was entreated to give the envoy her entire confidence; to give him the names of the persons whom she wished to consult; and to be guided by his advice as to what steps she should take.†

Mary seems to have accepted this offer without any show of reluctance. But the secrecy with which the affair had hitherto been conducted could no longer be maintained. No sooner did it become known to the Council, than the majority of them, with Gardiner at their head, waited on the Queen,

* *The Emperor to Renard*, September 20.

† Letter above cited, of September 20. The dates which we have given are sufficient to refute the story, taken by Tytler and Miss Strickland from Graziani, Vie de Commendon, that Mary told the Papal envoy, in the middle of August, that "she had concluded her league with the Emperor, and had entirely resolved upon her marriage with his heir, Prince Philip."

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and remonstrated strongly with her on the impolicy of such a marriage. If any thing had been wanting to confirm her in her purpose, this opposition would, of course, have had that effect. Parliament now took the alarm, and sent a committee to the Queen, to beseech her not to take a foreign prince for her husband. On the evening of the day on which she received this deputation, Mary knelt before the altar of her private oratory, in presence of the Spanish ambassador, and made a solemn vow to marry no one but the Prince of Spain. Another trial of her constancy awaited her. A rebellion, more formidable, more nearly successful than any that has ever been provoked in England by any single act of the government, followed the publication of the intended alliance. When this insurrection had been suppressed, and its ringleaders punished, Mary had no further resistance to apprehend.

There is one feature of this transaction, — the details of which have not been fully related by historians,* — which merits particular attention. Mary had obtained possession of the crown, which was her birthright, by the unexpected display of an ardent loyalty and attachment to her person, on the part of the great body of the people. All the dangers, all the sufferings, all the wrongs she had endured, had received an ample compensation in such general sympathy and adherence. But this generous fidelity failed to inspire her with any confidence in her subjects, or any regard for their wishes or their interests. In all important matters, her course was dictated by a foreign prince, who had given her no assistance in the assertion of her rights, whose advice came to her through secret channels, and whose aim, of course, was to render her policy subservient to his own. No English subject was privy to the communications that passed between the

* Lingard alone, at least among English historians, had access to the *Ambassades de Renard*, while they were still unprinted, among the State Papers of Cardinal Granville. But this able, though (necessarily) uncandid, writer made little use of these invaluable documents. We may hope that they will be turned to better account by the distinguished historian, who is understood to be now engaged upon a work which will embrace all the important events of the latter half of the sixteenth century, and among whose merits, — merits which the world has so amply recognized, — a total freedom from religious bigotry is not the least.

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two sovereigns. Mary was, in fact, a mere tool in the hands of the most crafty politician of that age. Probably she never doubted that Charles had been prepared to support her cause with arms. She certainly never suspected that the secrecy enjoined upon her had for its object to enable Philip, in case the obstacles to his marriage with her should, on a closer view, appear insurmountable, to resume his negotiations with Portugal. She knew that such an alliance would meet with great opposition from her people; but she consulted no one; she asked advice only of the party that was chiefly interested in the accomplishment of the project. It must be allowed, that she had some reason for distrusting many of the members of her Council; for they had been the ministers of Edward, and had participated, though reluctantly, in the plot for raising Lady Jane Grey to the throne. But this was not the case with Gardiner, the ablest of her ministers, on whom she bestowed her confidence in this matter as little as on the rest. And mere considerations of policy should have led her, instead of isolating herself from those who were most influential in the state, to strive, by every means, to secure their confidence and attachment. At all events, she should have respected those strong national feelings, in which she had found her best support. Far from pursuing this course, Mary tolerated her ministers only because she was unable to change them; and plotted against her people, while the acclamations with which they had proclaimed her were still ringing in her ears. We have seen that she not only acceded to a plan of which her proper advisers were entirely ignorant, but received from her fellow-conspirators the details of her own share in its execution. In her secret conferences with Renard, the English ministers and the English people were spoken of as inimical parties, whom it was an object to outwit and defeat. "Your Majesty," said the envoy, "is well acquainted with the capricious character of the English. Whether as the consequence of their being an insular people, or because their addiction to maritime pursuits has introduced a general corruption of manners, they are turbulent, eager for novelty, inconstant, and vindictive. Their sovereigns, in past times, were compelled to treat them with rigor, and to shed the blood

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even of the noblest among them, so as to have acquired the reputation of being cruel and tyrannical princes."* It was in this tone that a low-born Burgundian, the envoy of a foreign court, presumed to address the Queen of England.

The scheme was consummated. But little reason had either party to be satisfied with the result. It has been truly said, that the hostility to Spain, engendered by this alliance in the minds of the English people, supplanted their ancient enmity to France. The support which Philip extorted from them in his war with the latter power, — which occasioned the loss of the last relic of their Continental possessions, — tended to increase their resentment. A struggle ensued between the two countries, in which the Netherlands obtained their independence, — which could not have happened without the assistance they received from England, — and in which Spain lost her naval superiority, and that predominance which, under Charles V., she had maintained among the nations of Europe. Thus shorn of her external splendor, she rapidly sank under the action of those internal causes of decay which had been at work throughout the period of her short-lived greatness.

As for Mary, the bright hopes, to which she had sacrificed so much, were bitterly disappointed. She lost her people's love, but did not gain her husband's. Her nature was not one that easily yielded itself to emotions of tenderness. So much the stronger was this, the single, passion of her life. Its violence was increased by all that had made the completion of her wishes difficult, and by all that made the return, which her love demanded, improbable; by the opposition of her subjects; by the loss of her popularity; by the coldness of Philip's disposition, and the incompatibility of their ages.† Her desire

* *Papiers d'Etat de Granvelle*, iv., 129.

† It has been stated by respectable writers, that Philip was forced into this marriage by his father, and that he besought Charles to give him a bride who was younger than himself, and not one who was eleven years older. This story may be easily disproved. Philip's position, at this period, was not such that it would have been possible to constrain his inclinations; nor could he have been very reluctant to marry a woman whose age was greater than his own, since the Princess of Portugal, to whom he had just before made an offer of his hand, was six years older than himself. The fact is, that Charles did not venture to move in the affair until he had consulted his son, who at once expressed the strongest desire for the accomplishment of the match. See *Ibid.* 80, 103, *et al.*

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for children, — which Miss Strickland thinks fit to designate as monomania, — proceeded, perhaps, from the idea that, if Philip should have a son by her, to inherit England and the Low Countries, this would secure for her some place in his affections. But this hope, too, was doomed to be unfulfilled. She had embarked her all in a single venture, and all was lost.

Art. IX. — CRITICAL NOTICES.

1. — *Six Months in Italy.* By George Stillman Hillard. Boston: Ticknor, Reed & Fields, 1853. 2 vols. 16mo.

Little that is new remains to be told about Italy. Her life is in the past, and her history is written. Politically speaking, or with any reference to the events and interests of the present hour, Rome, Florence, and Naples are the most insignificant capitals in Europe. The interest which attaches to them is like that which covers Thebes and Nineveh with a mysterious charm; no one expects those solitudes to be peopled again, or their ancient glory to return. Italy, indeed, has exhausted her destiny. Twice has she been placed at the culminating point of power and renown, — once as the political mistress, and once as the home of the arts, of the civilized world. Whatever her future may be, it must be dwarfed by the remembrance of the glory that has passed away. Rome, it is true, still claims to be the head of Catholic Christendom; but her power, even in this respect, is only the lingering twilight of a sun that has set. The popedom is but a shadow of what it was; its spiritual thunders cannot disturb the repose of the feeblest prince in Europe; and in temporal matters, it is so rickety that it cannot stand without foreign aid. Every effort made to retrieve its fallen fortunes seems only to depress it still farther. Only six years ago, the world was called upon to admire that strange phenomenon, a reforming Pope, who was to cleanse the political sty and to regenerate Rome. A period of feverish excitement followed; but the difficulties were too great; one disappointment followed another, and, after a succession of disasters, the Pope became once more the tamest, the most conservative, and the pettiest of sovereigns. The people have shown themselves as unworthy of freedom, as they are incapable of achieving it by their

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own efforts. Thrice, within the lifetime of one generation, in 1820, in 1832, and again in 1848, the golden prize has been placed within their grasp; and thrice, by their feebleness, their lack of public spirit, and their brawls, they have wasted the fruits of success, and have fallen back paralyzed under the sway of superannuated despotisms.

But to the visitor from foreign lands, and especially to the educated American, Italy remains, and will ever remain, the most fascinating country in the world. Here, we are so accustomed to look forward into an indistinct but glorious future, that it is a relief to find ourselves compelled, by the genius of a different locality, to look back into a richly-storied and glorious past. Though new to the outward sense, the country is not strange to us. It has been made familiar by the studies of our youth, by associations connected with every province of the fine arts, and by much that has been inwrought into the literature of all nations. Even Greece, though it may kindle a warmer glow in the heart of the scholar, does not spread before him so rich and broad a field of interest, or inspire his enthusiasm on so many different subjects. Greece, during the Middle Ages, and, in fact, ever since the promulgation of Christianity, presents nothing more to us than many other countries in Europe. Its peculiar glories are all in the remote past; the voice with which it speaks to us comes only from a far distant antiquity, and is therefore often broken and indistinct. But the true life of Italy was prolonged to a comparatively recent period. There is much in her mediæval history over which the scholar and the man of taste lingers with an abiding thrill of pleasure, and a curiosity that can never be sated. And it is not mere association, or the recollection of what is no longer visible, that chains him to the spot. The past has left substantial and glorious memorials of itself; all Italy is strewed with them. A lifetime may be spent in study and admiration of them, and the feeling will still be that the work is incomplete. From the tower of the Capitol, we look down, on the one hand, into the Roman Forum, and our gaze extends, on the other, to the Vatican and the Castle of St. Angelo. In the museums, the statues of Bernini and Canova stand side by side with the Laocoon and the Apollo Belvidere. We can take in at a glance magnificent structures, that represent the various styles of architecture peculiar to almost every century in a period of over two thousand years. And all these things, as we have said, have the peculiar and tender charm that results from long familiarity with their history. We have read about them, thought of them, dreamed of them, till at last, when we actually see them, they appear to be old acquaintances, and yet have all the zest of novelty.

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We can understand the enthusiasm, then, with which Mr. Hillard writes about Italy, and the taste which led him to confine his remarks almost entirely to art and external nature, and to pass hurriedly over all questions respecting the Italians of the present day. If he speaks of them at all, it is to describe their garb, aspect, and physical constitution, — to consider them as subjects for the sculptor and the painter. He writes like a scholar, a poet, an artist, and a lover of nature; not as a politician, an economist, or a philosopher. There were reasons, as we have shown, for preserving this limitation in respect to Italy; but the uniform observance of it also shows the prevailing bent of the writer's mind. Mr. Hillard describes admirably; but he does not willingly speculate or theorize. We shall not be considered as underrating the merit of his work, if we place its chief excellence in description. For, how rare the faculty is, adequately to paint in words what has deeply affected the imagination and the senses! How many a young traveller, ambitious of keeping a diary, has vainly endeavored to reproduce on paper, at eve, what has most entranced him during the day! Language seems powerless to convey a tithe of what he has felt; and, in a fit of impatience, the task is abandoned, and the diary is thrown into the grate. Mr. Hillard describes well, because he describes simply; the details are suppressed, or kept in the background; the leading peculiarity is set forth in few but fitly chosen words; and then the emotions kindled in the spectator are pictured with a warmth and breadth of language which brings the scene home to the imagination through the feelings. The mental picture thus formed may not even approximate the truth; for words can never appropriate the painter's art. But words may give us a foretaste of the emotions created by reality; and if the reader himself has seen the object described, they may inspire the fading remembrance of it once more with coloring and life. Mr. Hillard's volumes will be best appreciated by those who have already visited Italy; but they will also be a useful guide to those who have that pleasure yet to come. For our own part, the work brings so vividly before us many happy hours, now long past, that we know not how much of the pleasure which it gives is due to the author, and how much to the recollections that it vivifies only by a casual spark.

Mr. Hillard is a perfect master of soft, musical, and perspicuous diction, which, though often curiously artistic, always seems the natural garb of the thought it so gracefully conveys. It is relieved with a great variety of allusions and a luxuriant fancy, while it is so chastised by a severe taste, that no awkward or incongruous image, no slipshod or strained expression, ever comes to mar the general effect. If one

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were inclined to be hypercritical, he might object, that its bright and even flow occasionally lapses into monotony, or causes the reader to lose sight of the principal thought in admiration of the language or the illustration. But even these qualities can hardly be deemed defects, when treating of such themes as Italian art and Italian scenery. Here, the most curious and brightly-pictured expressions, and the ripest fancy, seem at home; they breathe the spirit of that land which inspired Petrarch and Boccaccio, and sometimes softened even the stern genius of the great poet of Florence.

Mr. Hillard has judged wisely in not thowing his observations into the form of a journal. He says very little, indeed, of his personal adventures, and makes no complaint of hard fare, bad inns, or cheating landlords. True, the times are changed in this respect, since travellers used to tell so dolorous a story of the annoyances and discomforts that they suffered while exploring the remains of Roman grandeur, or feasting on Italian art. The vast influx of foreigners into Italy has introduced foreign fashions and foreign comforts; and one can now journey from Milan to Naples about as easily as from Boston to New York. Our author refers all persons who are curious about such particulars to that invaluable *vade mecum*, Murray's Guide Book; and contents himself with giving a series of descriptive sketches of the most remarkable objects of nature and art. His work conveys very faithfully, we think, the general impressions which these objects make on the mind of a well-informed traveller, of refined taste and a lively sensibility. Though imbued with the best fruits of thorough and extensive scholarship, it is singularly free from any touch of pedantry. It contains hardly a Latin quotation or a poetical extract from beginning to end. But all the information necessary to understand the picture, the statue, or the ruin, is given incidentally and without effort, from the stores of an overflowing mind. Three chapters, at the close of the second volume, give an agreeable and critical account of the most noteworthy books that have been written about Italy, from the time of Petrarch to the present day. Here will be found some useful hints for persons who desire to qualify themselves for a journey in the peninsula by studying the works of those who have preceded them. We are a little surprised not to find, upon our author's list, the interesting volumes of Mr. Whiteside, a distinguished Irish lawyer, who was travelling in Italy at about the same time with Mr. Hillard; or the amusing and instructive work of Mrs. Hamilton Gray, upon the sepulchres of Etruria. It does not appear, however, that the catalogue was designed to be complete.

We must not part from Mr. Hillard's work without giving some ex-

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tract from it, which shall be a fair specimen of his manner. The following eloquent passage upon the Coliseum, (which we prefer to spell as Gibbon did,) will answer this purpose: —

"If as a building the Colosseum was open to criticism, as a ruin it is perfect. The work of decay has stopped short at the exact point required by taste and sentiment. The monotonous ring of the outer wall is everywhere broken, and, instead of formal curves and perpendicular lines, the eye rests upon those interruptions and unexpected turns, which are the essential elements of the picturesque, as distinguished from the beautiful and the sublime; and yet so much of the original structure is left, that the fancy can without effort piece out the rents and chasms of time, and line the interior with living forms. When a building is abandoned to decay, it is given over to the dominion of Nature, whose works are never uniform. When the Colosseum was complete, vast as it was, it must have left upon the mind a monotonous impression of sameness, from the architectural repetitions which its plan included; but now that it is a vast ruin, it has all that variety of form and outline which we admire in a Gothic cathedral. Not by rule and measure have the huge stones been clipped and broken. No contriving mind has told what masses should be loosened from the wall, or where they should lie when fallen. No hand of man has trained the climbing plants in the way they should go. All has been left to the will of time and chance, and the result is, that, though there is everywhere resemblance, there is nowhere identity. A little more or a little less of decay, — a chasm more or less deep, — a fissure more or less prolonged, — a drapery of verdure more or less flowing, — give to each square yard of the Colosseum its own peculiar expression. It is a wilderness of ruin, in which no two fragments are exactly alike.

"The material of which the Colosseum was built is exactly fitted to the purposes of a great ruin. It is travertine, of a rich, dark, warm color, deepened and mellowed by time. There is nothing glaring, harsh, or abrupt in the harmony of tints. The blue sky above, and the green earth beneath, are in unison with a tone of coloring not unlike the brown of one of our own early winter landscapes. The travertine is also of a coarse grain and porous texture, not splintering into points and edges, but gradually corroding by natural decay. Stone of such a texture everywhere opens laps and nooks for the reception and formation of soil. Every grain of dust that is borne through the air by the lazy breeze of summer, instead of sliding from a glassy surface, is held where it falls. The rocks themselves crumble and decompose, and thus turn into a fertile mould. Thus, the Colosseum is throughout crowned and draped with a covering of earth, in many places of considerable depth. Trailing plants clasp the stones with arms of verdure: wild flowers bloom in their seasons, and long grass nods and waves on the airy battlements. Life has everywhere sprouted from the trunk of death. Insects hum and sport in the sunshine: the burnished lizard darts like a tongue of green flame along the walls, and birds make the hollow quarry overflow with their songs. There is something beautiful and impressive in the contrast between luxuriant life, and the rigid skeleton upon which it rests. Nature seems to have been busy

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in binding up, with gentle hand, the wounds and bruises of time. She has covered the rents and chasms of decay with that drapery which the touch of every spring renews. She has peopled the solitude and the silence with forms and voices. She has clothed the nakedness of desolation, and crowned the majesty of ruin. She has softened the stern aspect of the scene with the hues of undying youth, and brightened the shadows of dead centuries with the living light of vines and flowers.

"As a matter of course, everybody goes to see the Colosseum by moonlight. The great charm of the ruin under this condition is, that the imagination is substituted for sight; and the mind for the eye. The essential character of moonlight is hard, rather than soft. The line between light and shadow is sharply defined, and there is no gradation of color. Blocks and walls of silver are bordered by, and spring out of chasms of blackness. But moonlight shrouds the Colosseum in mystery. It opens deep vaults of gloom where the eye meets only an ebon wall, but upon which the fancy paints innumerable pictures, in solemn, splendid, and tragic colors. Shadowy forms of emperor and lictor, and vestal virgin and gladiator and martyr, come out of the darkness, and pass before us in long and silent procession. The breezes which blow through the broken arches are changed into voices, and recall the shouts and cries of a vast audience. By day, the Colosseum is an impressive fact; by night, it is a stately vision. By day, it is a lifeless form; by night, a vital thought.

"The Colosseum should, by all means, be seen by a bright starlight, or under the growing sickle of a young moon. The fainter ray and deeper gloom bring out more strongly its visionary and ideal character. When the full moon has blotted out the stars, it fills the vast gulf of the building with a flood of spectral light, which falls with a chilling touch upon the spirit; for then the ruin is like a 'corpse in its shroud of snow,' and the moon is a pale watcher by its side. But when the walls, veiled in deep shadow, seem a part of the darkness in which they are lost, — when the stars are seen through their chasms and breaks, and sparkle along the broken line of the battlements, — the scene becomes another, though the same; more indistinct, yet not so mournful; contracting the sphere of sight, but enlarging that of thought; less burdening, but more suggestive."

"But, under all aspects, — in the blaze of noon, at sunset, by the light of the moon or stars, — the Colosseum stands alone and unapproached. It is the monarch of ruins. It is a great tragedy in stone, and it softens and subdues the mind like a drama of Æschylus or Shakespeare. It is a colossal type of those struggles of humanity against an irresistible destiny, in which the tragic poet finds the elements of his art. The calamities which crushed the house of Atreus, are symbolized in its broken arches and shattered walls. Built of indestructible materials, and seemingly for eternity, — of a size, material, and form, to defy the 'strong hours' which conquer all, it has bowed its head to their touch, and passed into the inevitable cycle of decay. 'And this too shall pass away,' — which the Eastern monarch engraved upon his signet-ring, — is carved upon these Cyclopean blocks. The stones of the Colosseum were once water; and they are now turning into dust. Such is

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ever the circle of nature. The solid is changing into the fluid, and the fluid into the solid; and that which is unseen is alone indestructible. He does not see the Colosseum aright, who carries away from it no other impressions than those of form, size, and hue. It speaks an intelligible language to the wiser mind. It rebukes the peevish, and consoles the patient. It teaches us that there are misfortunes which are clothed with dignity, and sorrows that are crowned with grandeur. As the same blue sky smiles upon the ruin which smiled upon the perfect structure, so the same beneficent Providence bends over our shattered hopes and our answered prayers." Vol. i. pp. 305 – 310.

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2. *Free Blacks and Slaves. Would Immediate Abolition be a Blessing? A Letter to the Editor of the Anti-Slavery Advocate.* By a Cambridge Man. London and Liverpool. 1853.

AMONG the many recent publications in England upon the subject of slavery is a modest pamphlet bearing the title given above, which deserves special notice. It is marked by the good sense and moderation with which it treats this most difficult of the questions that perplex our times. It is quite free from the cant, extravagance, and invidiousness which have too often exhibited themselves in the discussion both here and abroad. A man deserves credit who can think and speak calmly in the midst of so much passion, — and still more, if he do so wisely.

The Anti-Slavery Advocate is the organ of that party in England, who are eager to bring about the immediate abolition of slavery in this country. The author of this letter to its editor, having travelled in the United States, and inquired into the condition of the free blacks and of the slaves, has come to the conclusion that immediate abolition, even if it were possible, would be undesirable, and states the grounds of his opinion in a clear, concise, and forcible manner. The facts from which he draws his conclusion are, for the most part, well known in this country; but the close of the letter contains a suggestion which is as new * as it is simple and important.

"Admitting," he says, "the impossibility of abolishing Slavery in the extreme Southern States till the European races are acclimatized, or the Asiatic

* The suggestion is anticipated, however, in the article in our present number on "The Possible Amelioration of Slavery," which was written without any knowledge of the existence of the pamphlet here mentioned. It is proper to state, also, that this article, and the present brief notice of the pamphlet by a Cambridge Man, were furnished by two contributors without any concert with each other.

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ones introduced, it is yet hard to understand why, alone of all American institutions, Slavery has never been modified or improved upon: — why, in a country whose characteristic is a generous growth and progress, there is one fearful and peculiar existence, which never changes with the changing times, nor, year by year, becomes less vile and loathsome. There is much that might be done with little trouble, with no risk, with the certainty of weakening the arguments of the abolitionists by striking from them their most effective weapon — tales of horror and cruelty.

"Slave-owners, however excellent themselves, must wilfully shut their eyes, or they must be well aware that, though exaggerated by the opposite party, cruelties are not all unknown; and though by no means common, Haleys and Legrees are not quite extinct. Now, what prevents the slave-owners of America, men, many of them, with as good hearts as the 'South Carolinian,' whose letter, reprinted in Frazer, you have doubtless seen, — what prevents the inhabitants of the South, who do not see their way clear to abolition, forming in their separate States a 'Slavery Modification Society,' or some such thing, whose members should take upon themselves reforms which would not affect the stability of their 'property,' but which would show before God and man that they were really anxious to vindicate themselves from the reproach of conniving at grossest oppression and injustice. Let them examine into the condition of slaves in their own State, and appeal to their State Legislature to assist their endeavors to improve and raise it.

"Among the reforms which would at once suggest themselves to such a band of high-hearted Southerners would be, —

"1. The observance of the marriage tie for the black man as for the white.

"2. The abolition of the internal slave-trade between different States.

"3. The appointment of commissioners to examine into the state of the different plantations.

"4. The better regulation of auctions."

Other reforms might, as the "Cambridge Man" adds, be easily suggested. But the special objects and the plan of operation of such associations as those proposed may best be left to be determined upon and worked out by those who are best acquainted with what ought to be done.

A project like this seems to afford room for the exercise on a broad field of those qualities which are so often found among slaveholders, — the result of their full appreciation of the responsibilities of their position as masters, and of their sincere desire to perform their duties faithfully to their slaves. A Southern plantation may be the scene of the most thoughtful kindness and complete self-devotion of the master to his slave. Virtues which are rarely to be found elsewhere are there called into action. To make these virtues the rule by which the treatment of slaves should be regulated, to raise public opinion up to the highest standard of principle, not to allow it to be regulated by interest

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or passion, to check by an authoritative expression of sentiment all violence, wantonness and cruelty, to make this sentiment powerful in action, — it seems as if there were little needed beyond the combination of right-minded slave-owners, wherever they are to be found, in support of each other and of their common principles. The duties of a Christian master are not limited to his plantation.

Associations such as those proposed in this pamphlet would be attended with indirect benefits hardly less marked than their direct effects. They would save the South from the sweeping condemnation in which she is involved by the deeds of a wretched minority of her population; they would afford her, what she has long wanted, an internal defence against the pressure of opinion from without; and their increasing strength would insure the weakness of all foreign interference.

Note to Article I., on the Society of the Cincinnati.

It is a curious fact, which should have been noticed in our brief sketch of the attempts to create institutions of knighthood in America, that the Knights of St. John of Jerusalem, (commonly known as the Knights Hospitallers, or the Knights of Malta,) once endeavored to establish themselves in this western world. In 1651, this renowned Order purchased of the first French West India Company the four islands of St. Christopher, St. Martin, St. Bartholomew, and St. Croix, being nearly the whole of the Lesser Antilles, for the sum of 120,000 livres tournois, or about $24,000, and held them until 1665. They sent out some of their knights thither, and the islands were governed by a brother of the Order, with the title of Bailly, appointed by the Grand Master at Valetta. There seems to have been a sort of feudal dependency on the King of France, to whom a crown of gold, of the value of $1200, was to be rendered on his accession. From all we can learn, however, there was not much of the spirit of chivalry in the motives that actuated the Order in making this novel acquisition. The spirit of commercial adventure and emolument, which was so universal at that period in Europe in regard to the Eastern and Western Indies, appears to have infected their minds, and they probably went into the matter as a sort of speculation. Finding that the large profits hoped for did not come in, they sold out, in 1665, to the new West India Company, for 500,000 livres tournois, or about $100,000; and that is the last we hear of the Order of St. John in America.

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Note to Article VI. on Canals in India.

Since the article upon "Canals of Irrigation in India" was written, we have met with a book recently published, of which the title is as follows: "The White Slaves of England. Compiled from Official Documents, with twelve spirited illustrations. By John C. Cobden. Auburn: Derby & Miller. 1853." One chapter, occupying about fifty pages of this thick duodecimo volume, is devoted to what the author calls "Slavery in India." From this chapter we have thought it well to make a few extracts, that they may be put in immediate apposition with the statements contained in our article. Our readers will find them curious.

Mr. Cobden begins with the assertion that —

"The extensive, populous, and wealthy peninsula of Hindostan has suffered greatly from the crushing effect of the British slave system."

After a few sentences he goes on: —

"There the fat of the land has been garnered up for the luxury of the conquerors, while famine has destroyed the people by thousands. There, indeed, has the British aristocracy displayed its most malignant propensities — rioting in robbery and bloodshed — setting all religion at defiance, while upholding the Christian standard — and earning to the full the continued execration of mankind." p. 441.

Our readers are quite competent to judge of the manner in which this terrible display has been made, and to bestow the due share of execration upon the members of that "British aristocracy" who have been engaged in it.

A few pages further on, the author states that—

"The destruction of local organizations, and the centralization of authority, which is always attended with the increase of slavery, have been the aims of English efforts. The principle that the government is the sole proprietor of the land, and therefore entitled to a large share of the produce, has been established, and slavery, to escape famine and misery, has become necessary to the Hindoos." p. 449.

A striking illustration of the mode in which, according to Mr. John C. Cobden, the English have thus endeavored to destroy the local organizations, is to be found in the Revenue Settlement of the North-Western Provinces, to which we have referred in our article, by which the limits of about 80,000 villages have been determined, the village administrations preserved, and the rights of each separate community, as of each individual proprietor, carefully established. The statement

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that the government is "the sole proprietor of the land" is not true without essential modification; and it is to be remarked, that, whatever be the rights of the government in the land, so far are the English from having, as Mr. Cobden implies, introduced any new principle in relation to them, that they have, on the contrary, adopted that of their Hindoo and Mahommedan predecessors, which seems to have had its origin in the remotest antiquity.

But let us go on.

"The kind of slavery," says this veracious writer, "which the British have imposed on the great mass of their East Indian subjects, is infinitely more oppressive and inhuman than chattel slavery."....."The object is to take the fruits of the laborer's toil without providing for him at all." p. 459.

These are strong words, but the author is obviously incapable of understanding their force.

Another of the assertions made by this Mr. Cobden bears directly on the subject of our article. He declares that, "famines (always frightfully destructive in India) have become more numerous than ever, under the blighting rule of the British aristocrats."

And again, three pages afterward, he says, "We have only to add, that, whatever may be found in the climate or character of the country that expose (sic) the people to the frequency of want, the conquerors have done their best to aggravate natural evils." p. 466.

Are the canals to be regarded only as gigantic instruments for wasting the waters of the land and producing a universal malaria? After going on to enumerate a long list of the crimes of the British in India, the chapter is closed by Mr. Cobden in the following words.

"The Hindoos are the victims of conquerors, slower, indeed, in their movements, than Tamerlane or Genghis Khan, but more destructive and more criminal than either of those great barbarian invaders." p. 488.

Is Mr. Cobden sure that he is right? — Conquerors more destructive than Tamerlane, who left pyramids of skulls to mark the course of his army through Asia? — Than Genghis Khan, the victims of whose massacres were numbered by millions?

Our readers have had a sufficient specimen of this chapter. Such a display of ignorance, pretension, and folly would be as ludicrous as it is contemptible, were it not for one serious reflection. The book is intended for popular reading. It is made attractive to the vulgar taste by ordinary, but, as the title-page says, "spirited" woodcuts, representing some of the horrors detailed in the text. It is addressed to a low popular prejudice. It is written with the design of exciting ill-feeling against England, and of serving at the same time as a sidelong defence

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of slavery in this country. The principles of the author are of the same quality as his statements.

We have no disposition to enter upon the defence of the English in India. The history of their rule exhibits, like every other history, a mingling of good and bad. One page bears the record of frequent mistakes and crimes in the acquisition and government of the country; the other, of as frequent, sincere, and often successful efforts to raise the character and improve the condition of its people. Nor would such a book as that before us deserve even the notice we have given to it, were it not that it is one of a class which has become too prevalent of late, and against which a strong protest should be made. It belongs to that base class of books which form what may be called the literature of recrimination, — a literature which is opposed to good sense, right-feeling, and patriotism; and which is at once the disgrace of its authors, and of that public with whom it finds favor.

Note to the Article on M. Libri's Case, in No. CLIX.

It is seldom very agreeable to any one to have to acknowledge the commission of an error; but in the present instance, we can sincerely say that we take a genuine pleasure in correcting a most disagreeable blunder into which we fell in the article upon M. Libri's Case, in the April number of our last volume.

It is unnecessary for us here to state the causes of our mistake. They were certainly, however, sufficient to justify us in making the statement which we did, viz.; that M. Libri was no more. As the least expiation in our power for this act of involuntary manslaughter, we beg to declare, as notoriously as we can, that M. Libri is publicly and actively living, and to express the hope that so he may long continue to remain.

One word more as to the merits of the prosecution of which he has been the victim. Since the publication of the article in question, our attention has been more than once called to the facts of the case, and we have no hesitation in re-asserting, with a full conviction of their fidelity to truth, every statement we therein made in favor of M. Libri. If we committed an error, it consisted in not sufficiently insisting upon his perfect and entire innocence of all the charges brought against him. The truth seems to be, that the French authorities, in their natural attempt to strike a blow at M. Guizot, in the person of one of his *protegés*, so entirely overshot the mark as to render a dignified retreat

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impossible. Either a public repentance and restitution must have taken place, or an unblushing persistence in the course of persecution that had been adopted. The latter alternative was, unfortunately for all parties, fixed upon. In vain has M. Libri, in vain have his respectable and distinguished friends in England, solicited that he should be allowed to return to Paris upon bail, and to have time there to prepare his defence before he should be brought up for trial. Every one knows, who knows any thing about the case, that his defence would in that event be most triumphant, let the result of the trial be what it might. Deprived of his papers, his property, his books themselves, his statement, prepared in exile, has carried conviction to the minds of every one; — and how much stronger would be that feeling, if he were suffered to avail himself of the ordinary material and tools employed on similar occasions? Therefore we can perfectly comprehend how a government like that of France, as at present constituted, should refuse to put such a weapon in the hands of those who would be but too ready to use it. But nothing can stifle the voice of sympathy and indignation throughout the literary world, at the whole history of this matter; and so far as it can be any consolation to M. Libri to know that his innocence is much more manifest to those who, like ourselves, know him only by name, than if it were at last declared from the mouths of such an ignorant and vindictive body as that which has already pronounced his guilt; we have great pleasure in tendering to him every assurance of our confidence in his integrity and veracity.

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